

THE HOMELAND SECURITY NEWS CLIPS

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LEADING DHS NEWS

'Save ICE': White House Launches Full-Scale Defense Of Agency Amid Dem Calls To Abolish

By Adam Shaw

[Fox News](#), July 6, 2018

The Trump administration has launched a full-scale defense of Immigration and Customs Enforcement in the face of growing Democratic calls to "abolish ICE" – a slogan that was once limited to the far-left fringes of the party.

"While I stand before you today at a time when some people are actually calling for the abolition of ICE, in this White House let me be clear – we are with you 100 percent," Vice President Mike Pence said at ICE headquarters on Friday. "And as the president said last night we will always stand proudly with the brave heroes of ICE and Border Patrol."

Added Pence, "Under President Donald Trump, we will never abolish ICE. As the president said, we will never fail to applaud and expand and empower this agency with the resources you deserve."

The searing speech from Pence, which included swipes at Democrats for attacking the agency, came as the White House issued a lengthy defense of the agents and the agency itself.

"Calls to abolish ICE are an insult to these heroic law enforcement officers who make sacrifices every day to secure our borders, enforce our laws, and protect our safety and security," the White House said in a Thursday press release, which included the slogan: "Save ICE."

While once limited to protest placards and left-wing online activists, the calls to abolish the agency have ramped up in recent weeks in the wake of the controversy surrounding the administration's "zero tolerance" policy on prosecuting all illegal border crossers.

Sens. Elizabeth Warren, D-Mass., Bernie Sanders, I-Vt., and Kirsten Gillibrand, D-N.Y., all floated as possible 2020 presidential candidates, have backed the call to abolish the agency.

"The president's deeply immoral actions have made it obvious we need to rebuild our immigration

system from top to bottom starting by replacing ICE with something that reflects our morality and that works," Warren said on Saturday.

Pence, in his speech Friday, blasted those Democrats and said it was a sign that "opposition of ICE has moved to the center of the Democratic Party."

"Just when you thought the Democrats couldn't move any farther to the left, leading members of the Democratic Party, including candidates for higher officer, are actually openly advocating the abolition of ICE – an agency that protects the American people and our communities every single day."

He called the calls "outrageous and irresponsible," arguing that it would lead to more illegal immigration, more drugs and more violent crime and even allow terrorists to exploit loopholes.

The White House also outlined the consequences of abolishing the agency.

"Abolishing ICE would mean open borders because it would eliminate the agency responsible for removing people who enter or remain in our country illegally, including drug dealers; gang members; and child molesters, rapists, and other sex offenders," the release said.

It also provided figures as to ICE's work every year, noting that ICE's Enforcement and Removal Operations (ERO) arrested "more than 127,000 aliens with criminal convictions or charges." ICE's Homeland Security Investigations (HSI) meanwhile made 4,818 gang-related arrests in FY 2017 and seized more than 980,000 pounds of narcotics.

"Abolishing ICE would leave these drugs in our communities to cause more devastation," the White House said.

Meanwhile, President Trump has been ratcheting up his rhetoric on Twitter about ICE.

"Every day, the brave men and women of ICE are liberating communities from savage gangs like MS-13," he tweeted Thursday. "We will NOT stand for these vile Democrat smears in law enforcement. We will always stand proudly with the BRAVE HEROES of ICE and BORDER PATROL!"

"We protect ICE, they protect us and we protect them," he said at a rally in Montana.

In addition to defending the agency, Trump appears to be relishing the idea that Democrats will embrace the “abolish ICE” push ahead of this year’s midterms and the 2020 presidential election – where many conservatives, and some Democrats, believe that it could spell electoral defeat in key swing states.

“Well I hope they keep thinking about it. Because they’re going to get beaten so badly,” he told Fox News’ Maria Bartiromo on “Sunday Morning Futures.”

Vice President Mike Pence will visit ICE headquarters and meet with employees, where he is expected to praise agents and express the importance of the agency in the fight to secure the country’s borders and enforce immigration law.

But the pushback from the White House doesn’t appear to be stopping the “abolish ICE” movement from picking up vocal support.

“Now, it is time to do what Americans overwhelmingly want: abolish the cruel, dysfunctional immigration system we have today and pass comprehensive immigration reform,” Sanders tweeted on Tuesday, adding that that would involve “restructuring” agencies such as ICE.

Adam Shaw is a reporter covering U.S. and European politics for Fox News.. He can be reached here.

‘We Are With You 100 Percent’: In ICE Visit, Pence Draws Sharp Contrast With Democrats Who’ve Called To Abolish The Agency

By John Wagner

[Washington Post](#), July 6, 2018

Vice President Pence on Friday admonished Democrats who have called for dismantling Immigration and Customs Enforcement during a visit to the agency’s headquarters, where he told employees that he considers them “patriots” and “heroes.”

“These spurious attacks on ICE by our political leaders must stop,” Pence said of an agency that has taken on a higher profile amid the Trump administration’s “zero-tolerance” immigration policies and forced separations of migrant families at the southern border.

“We are with you 100 percent,” Pence said, also relaying greetings from President Trump, who is at his golf club in Bedminster, N.J., for the weekend. “We always stand proudly with the brave heroes of ICE and our border patrol.”

Pence’s remarks come as a growing number of Democrats have called for abolishing ICE and liberal activists across the country have staged protests directed at the agency.

Pence singled out a handful of Democrats who’ve called for the agency’s abolition, including Sens. Elizabeth Warren (Mass.) and Kirsten Gillibrand (N.Y.), both of whom are considered potential 2020 presidential contenders.

Pence also relayed that “a leading candidate” for governor of New York had recently referred to ICE as a “terrorist organization” — a characterization Pence called “unacceptable.” Though he did not name her, Pence was referring to Cynthia Nixon, the former “Sex & the City” actress, who is trailing Gov. Andrew Cuomo (D) in polls ahead of the state’s Democratic primary.

Pence claimed that opposition to ICE was no longer coming just from “the radical left” but had now “moved to the center of the Democratic party itself.”

“The truth is, the calls to abolish ICE are not just outrageous, they’re irresponsible,” Pence said, adding: “Under President Donald Trump, we will never abolish ICE.”

In recent days, Trump and other Republicans have seized on calls to abolish ICE in an attempt to gain political advantage on the immigration issue after weeks of images of migrant children separated from their parents.

Some Democrats have become worried that those calls leave members of their party vulnerable to Republican attacks that they are weak on border security.

In his remarks, Pence ticked off the various functions of ICE, including not only arrests of those crossing the border illegally, but also fighting violent gangs, combatting human traffickers and seizing narcotics.

Shortly after Pence’s speech, Nixon released a statement saying she considered criticism from the vice president “a badge of honor.”

“If Mike Pence is attacking me, we must be doing something right,” Nixon said. “ICE’s mere existence causes many New Yorkers to live in daily fear that they will lose their family.”

‘We Will Never Abolish ICE,’ Pence Says As He Slams Democrats

By Alexandra Yoon-Hendricks

[New York Times](#), July 6, 2018

WASHINGTON — Calling Immigration and Customs Enforcement officials “American heroes,” Vice President Mike Pence doubled down on the Trump administration’s defense of the maligned agency on Friday and demanded that Democrats end their “irresponsible” push to disband it.

Mr. Pence, visiting the agency's headquarters, said that to cede to activists and politicians' calls to abolish it would jeopardize the country's national security.

"So today, I want to make it clear to all of you and all of those looking on, under President Donald Trump, we will never abolish ICE," Mr. Pence said. "And as the president said, we will never fail to applaud, and expand, and empower this agency with the resources that you deserve."

ICE has been a source of mounting criticism among protesters, several Democratic politicians and even some of the agency's investigators as the Trump administration's "zero tolerance" immigration policy led to the separation of migrant families at the southwestern border. Though ICE officials were not responsible for the separations — which the president has ordered an end to and were conducted by Customs and Border Protection — some have come to see the agency as a representation of Mr. Trump's aggressive approach to immigration enforcement.

"The American people have a right to their opinions, but these spurious attacks on ICE by our political leaders must stop," Mr. Pence said Friday.

He specifically called out Senators Elizabeth Warren, Democrat of Massachusetts, and Kirsten Gillibrand, Democrat of New York, as well as Cynthia Nixon, who is seeking New York's Democratic nomination for governor and recently called the agency a "terrorist organization."

"We need to rebuild our immigration system from top to bottom, starting by replacing ICE with something that reflects our morality and that works," Ms. Warren said last weekend at an anti-family separations rally in Boston.

Mr. Pence, who did not mention the family separations during his speech on Friday, called such positions extreme.

"Just when you thought the Democrats couldn't move farther to the left," Mr. Pence said, "leading members of the Democratic Party, including candidates for higher office, are actually openly advocating for the abolition of ICE, an agency that protects the American people and our communities every single day."

Mr. Pence said that "the calls to abolish ICE are not just outrageous, they're irresponsible," adding later that "the men and women of this agency over the last 15 years have played a critical role in ensuring that no major terrorist attack occurred on our shores."

President Trump has vocally defended ICE in recent weeks, posting praise for the agency on Twitter and hitting back against Democrats' criticism.

"Every day, the brave men and women of ICE are liberating communities from savage gangs like MS-13,"

Mr. Trump tweeted on Thursday. "We will NOT stand for these vile Democrat smears in law enforcement. We will always stand proudly with the BRAVE HEROES of ICE and BORDER PATROL!"

Before his speech on Friday, Mr. Pence, along with the homeland security secretary, Kirstjen Nielsen, met with ICE staff members to learn more about the overall efforts of the agency, whose responsibilities include detaining and deporting unauthorized immigrants who are already in the country and investigating human trafficking and drug and weapons smuggling.

At one point during his speech, Mr. Pence rattled off a list of statistics to highlight the work the "incredible patriots" were doing.

He said that last year, ICE made nearly 33,000 arrests of "individuals who came into this country illegally and then pursued crime against our people," and seized nearly a million pounds of narcotics. He added that in 2017, ICE agents made 4,818 gang arrests, including 796 members of MS-13 — a gang that the Trump administration has held up as a prime example of the risks of illegal immigration, despite law enforcement officials' saying that the threat may be overstated.

"Abolishing ICE would mean more violent crime," Mr. Pence said, as well as "more vicious gangs" and "more drugs in our schools and our streets."

Mr. Pence concluded his speech by saying, "I know we will make America safe again, and we'll have all of you to thank."

Later, as Mr. Pence was greeting ICE employees and taking photos with them, a pool reporter asked him if "child separations is a Christian thing to do." The vice president did not respond.

Follow Alexandra Yoon-Hendricks on Twitter: @ayoonhendricks.

Pence Delivers Pep Rally For ICE Agents Amid Dem Attacks

By Mike Lillis

[The Hill](#), July 6, 2018

Vice President Pence on Friday hailed the work of Immigration and Customs Enforcement (ICE), delivering at its headquarters a vigorous defense of the agency — and a warning to Democratic critics calling to abolish the office altogether.

Pence hammered the Democrats seeking to dismantle the 15-year-old agency, warning that such a move would only empower violent criminals, including members of the MS-13 gang, at the expense of public safety.

"Calls to abolish ICE are not just outrageous, they're irresponsible," Pence said.

"The heroes of ICE are being attacked and demonized for the work that you do at an unprecedented rate in recent weeks," he told the audience of ICE agents and officials.

"The American people have every right to engage in peaceful protest. But these threats against ICE officers and their families must stop, and they must stop now."

Created in 2003, ICE has long been a target of immigrant rights advocates and liberal Democrats, who contend the agency is little more than a militarized deportation force that too often ignores the human component of immigration policy. Those voices have crescendoed in recent weeks, following the shocking primary defeat of Rep. Joseph Crowley (D-N.Y.) to Alexandria Ocasio-Cortez, a young Hispanic activist who made the elimination of ICE — and the reallocation of its duties — a central component of her campaign.

Democratic leaders — including Senate Minority Leader Charles Schumer (N.Y.) and House Minority Leader Nancy Pelosi (Calif.) — have pushed back against the movement to eliminate ICE, calling instead for an overhaul of the agency to prioritize enforcement against criminals and other undocumented immigrants who might pose a threat to public safety.

Yet a handful of liberal Democrats quickly jumped on board following Ocasio-Cortez's victory. In the House, Rep. Mark Pocan (D-Wis.) is expected to introduce legislation next week that would scrap ICE and transfer its central responsibilities to other departments.

And several Democrats eying a 2020 presidential run, including New York Mayor Bill de Blasio and Sens. Kirsten Gillibrand (N.Y.) and Cory Booker (N.J.), have endorsed the idea as well.

Trump, whose tough approach to immigration enforcement was a key plank of his 2016 presidential platform, has pounced, accusing the Democrats of defending "criminals" over the American public. The White House 2019 budget request includes an additional \$967 million for ICE — a bump that's likely to be opposed by Democrats wary of the administration's aggressive approach to enforcement.

It was that message that Pence took to ICE on Friday, attempting to carve a clear distinction between the parties when it comes to deportations and the enforcement of immigration law.

"In this White House, let me be clear: We are with you 100 percent," Pence said.

"Under President Donald Trump, we will never abolish ICE."

Vice President Pence Blasts Calls To Abolish ICE, Calls Agents 'Heroes'

By Kevin Johnson And Alan Gomez

[USA Today](#), July 6, 2018

WASHINGTON — Vice President Mike Pence on Friday offered unqualified support for the government's front line officers in the Trump administration's immigration enforcement efforts in the face of calls for the abolishment of Immigration and Customs Enforcement.

"We are with you 100 percent," Pence said during a visit to ICE headquarters. "We will always stand proudly with our brave heroes of ICE and the Border Patrol.

"Under President Trump, we will never abolish ICE."

Pence's appearance along with Homeland Security Secretary Kirstjen Nielsen comes as the Trump administration has been engulfed in controversy for separating young children from their undocumented parents as part of a "zero tolerance" border enforcement policy.

President Donald Trump abruptly halted the policy last month under mounting political pressure. The government now faces court-ordered deadlines to reunite nearly 3,000 children with their parents.

"The calls for abolishing ICE are not only outrageous, they are irresponsible," the vice president said.

Pence said increasing public criticism against the agency was even putting officers and their families at risk, asserting that the agency was being "attacked and demeaned... at an unprecedented rate."

"These attacks against ICE officers and their families must stop and must stop now," he said.

He specifically cited Democratic lawmakers, including Sens. Elizabeth Warren of Massachusetts and Kirsten Gillibrand of New York, saying their calls for shutting the agency were "spurious" and "must stop." He said the calls to abolish the 20,000-person agency responsible for apprehending undocumented immigrants in the interior of the U.S. have spread far beyond the "radical left."

"The truth is that opposition of ICE has moved to the center of the Democratic Party itself, just when you thought the Democrats couldn't move farther to the left," he said.

Pence's remarks drew applause from agency staffers gathered in an office studio.

Before Pence came to the podium, Ron Vitiello, ICE's acting chief, addressed the group, saying the agency's "good work... had come under attack."

Referring to Nielsen, Vitiello said the secretary had been the target of personal criticism when she was heckled last month at a local restaurant.

"Thank you, Madam Secretary, for standing up for us," Vitiello said.

After his own remarks, the vice president took no questions.

"Is separating children on the border the Christian thing to do?" one reporter called out.

Pence ignored the question as he walked among the gathering shaking hands before departing.

Pence Defends Immigration Agency, Rips Democrats

By Ken Thomas

[Associated Press](#), July 6, 2018

WASHINGTON (AP) — Vice President Mike Pence on Friday defended federal immigration authorities against what he called "spurious attacks," accusing Democrats of making opposition to U.S. Immigration and Customs Enforcement central to their party.

In an address at ICE headquarter infused with electoral politics, Pence noted that some prominent Democrats had called for the abolition of ICE, the agency charged with detaining and deporting migrants entering the country illegally. He said President Donald Trump would fully support immigration enforcement agents and warned that the abolition of the agency would lead to violent crime and human trafficking.

"It isn't just the expression of the radical left that has been speaking out against ICE. The truth is that opposition of ICE has moved to the center of the Democratic Party itself," Pence said in a speech to ICE employees. "Just when you thought the Democrats couldn't move farther to the left, leading members of the Democratic Party, including candidates for higher office, are actually openly advocating the abolition of ICE."

"The American people have the right to their opinions, but these spurious attacks on ICE by our political leaders must stop," Pence said.

The dispute over the federal agency has emerged as a political fault line after the Trump administration began separating migrant children from their parents after they crossed the U.S.-Mexico border, leading to nationwide protests last weekend. Trump has made border security a focus of his message as he aims to prevent a Democratic takeover of Congress in the November midterm elections.

Pence made no mention of the Trump administration's "zero tolerance" policy or the caring for unaccompanied children, who are overseen by the Department of Health and Human Services. As the vice president was greeting ICE employees after the speech, he did not respond to a shouted question from a reporter

asking if separating children "was a Christian thing to do."

ICE has come under fire from Democratic Sens. Kirsten Gillibrand of New York and Elizabeth Warren of Massachusetts and New York City Mayor Bill de Blasio, who are among a large field of potential 2020 challengers to Trump.

Gillibrand has said ICE is not "working as intended" and said the criminal justice aspect of the agency should be separated from immigration issues. Warren has called Trump's immigration policies "immoral" and said the U.S. needs to rebuild its immigration system "from top to bottom, starting by replacing ICE with something that reflects our values," while de Blasio has said ICE's time "has come and gone."

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Pence: Democratic Leaders Must Stop 'Spurious' Calls To Abolish ICE

By Thomas McKinless

[CQ Roll Call \(DC\)](#), July 6, 2018

Vice President Mike Pence called on Democratic leaders to stop their "spurious" calls to abolish U.S. Immigration and Customs Enforcement.

"The calls to abolish ICE aren't just dangerous, they're irresponsible," said Pence in remarks to ICE employees on Friday.

VP Pence: White House Stands With ICE 100%

By Michelle Moons

[Breitbart](#), July 6, 2018

Vice President Mike Pence declared Friday from U.S. Immigration and Customs Enforcement (ICE) Headquarters that the White House and President Donald Trump stand with ICE "100%."

"I stand before you today at a time when some people are actually calling for the abolition of ICE," said Pence, who received a briefing from the agency before taking the podium. "In this White House, let me be clear, we are with you 100 percent."

Pence referenced President Donald Trump's remarks from a Thursday night Montana rally, "We always stand proudly with the brave heroes of ICE and our Border Patrol." Attendees applauded the remark.

Homeland Security Secretary Kirstjen Nielsen introduced Pence at the event and he, in turn, praised her work at Homeland Security.

Pence offered thanks from the President and the American people, "You're on the front lines of enforcing America's laws, ensuring our – the vitality of this nation and the security of our people, and you have our thanks."

He praised the 20,000 Department of Homeland Security employees who "stand for the rule of law in this nation and stand for the interests of the America people" every day.

"Every day men and women of ICE also confront criminal illegal immigrants who endanger our communities and prey on our most vulnerable," said Pence. He said they have fought dangerous smugglers, terrorists, vicious gangs like MS-13, human smugglers, child traffickers, and drug cartels.

Pence cited statistics on ICE activity. In 2017 ICE made 4,818 gang arrests, including 796 members of MS-13. "There were nearly 33,000 arrests by ICE personnel, criminal arrests, individuals who came into this country illegally and then pursued crime against our people," said Pence. "Nearly a million pounds of narcotics were seized by ICE agents in 2017 alone."

He said most touching to him were the 518 human trafficking victims that have been rescued and "904 children subject to child exploitation were rescued by ICE agents all across America."

"We are enforcing our laws and protecting the most vulnerable," said Pence.

The vice president commended the hard work that ICE agents do, often without regard to their personal safety. "President Trump and I and the American people understand that, behind these statistics, in this work you also — you do so oftentimes without regard to your personal safety."

"In 2017, attacks on your fellow DHS colleagues at Customs and Border Protection increased by nearly 75 percent and at ICE, assaults on your officers nearly tripled in 2017," said Pence. "But remarkably, but not surprisingly, these attacks have not diminished your commitment or your courage or your determination to enforce our laws."

"These challenges and the challenges you face have only strengthened the resolve of this president and this administration to stand with you every step of the way," Vice President Pence said to applause from the crowd.

'We Will Never Abolish ICE': Pence Says To Staff At ICE HQ

By Geneva Sands Luke Barr
[ABC News](#), July 6, 2018

Vice President Mike Pence vowed on Friday "We will never abolish ICE" and praised the Immigration and Customs Enforcement agents, an agency which has faced some public backlash in the wake of the administration's zero-tolerance immigration policy.

"Under President Donald Trump, we will never abolish ICE," Pence said to cheers during remarks at the agency's headquarters.

Pence said abolishing ICE would mean more illegal immigrants would come into the U.S. and added that the administration is fully supportive of the agency.

"While some people today are calling for the abolition of this great agency, in this White House, let me be clear we are with you 100% –and as the president said last night we will always stand proudly with the brave hero's of ICE and Border Patrol," Pence said.

His remarks come at a time when ICE has come under fire and the slogan "Abolish ICE" has gained traction among activists and some Democratic politicians.

Pence specifically called out Democrats such as Sen. Elizabeth Warren, D-Mass. and Sen. Kirsten Gillibrand, D-NY. as well as New York City Mayor Bill de Blasio and New York gubernatorial candidate Cynthia Nixon as "reckless" in their rhetoric on abolishing ICE.

"Just when we thought the Democrats couldn't get any more reckless, leading members of that party, and many of its candidates for higher office," are calling to abolish ICE, Pence said.

"So we believe that we should protect families that need our help and that is not what ICE is doing today," Gillibrand said in an interview with CNN in late June. "And that's why I believe you should get rid of it, start over, reimagine it and build something that actually works."

Nixon also from New York echoed those statements.

"I think it's important to know also parents and children aren't just being separated at the border. They are being separated throughout this country by ICE," Nixon said on The View. I think we need to abolish ICE. That seems really clear. They have strayed so far from the interests of the American people and the interests of humanity," she continued.

Pence said such attacks have "strengthened the resolve" of the administration and Trump to stand behind the agency.

There has also been an increase recently, in threats leveled against some in the Department of Homeland Security which oversees Customs and Border Protection.

DHS determined that there was a "heightened threat against DHS employees" in response to the recent

DHS actions, according to a letter sent to employees in late June.

The backlash from some stems from the administration's zero-tolerance immigration policy that lead to separating families on the U.S. – Mexico border. That practice sparked outrage among lawmakers, public reprisals, and protests. Ultimately, the president signed an executive order to end the practice.

On Friday, the Department of Justice asked a federal judge for an extension to reunite families separated at the U.S – Mexico border.

Pence To Democrats: Stop 'Spurious Attacks On ICE'

By John T. Bennett

[CQ Roll Call \(DC\)](#), July 6, 2018

Vice President Mike Pence on Friday continued the White House's efforts to make a controversial border security agency known as ICE a major midterm election issue, saying it arrests "criminal illegal aliens" who are "poisoning our youth."

"The president sent me here with a very simple message: I stand here before you at a time when some people are actually calling for the abolition of ICE. In this White House, we are with you 100 percent," Pence said during remarks at U.S. Immigration and Customs Enforcement headquarters in Washington. "Under President Donald Trump, we will never abolish ICE."

Pence and Trump are eager to make the agency, its border mission and immigration a big midterm campaign issue. They are banking on a hunch voters will side with the GOP's more aggressive approach to border security and migrant policy than that expressed by many Democratic incumbents and candidates.

"Just when you thought the Democrats couldn't move farther to the left," some are calling for ICE to be abolished, Pence said. "Let me be clear on this point, the American people have a right to their opinions but these spurious attacks on ICE by our political leaders must stop."

ICE and its personnel are being "demonized," Pence said, growing emotional when he said "attacks" on ICE officers during protests and allegedly at agents' homes "must stop now."

Pence took up Friday where the president left off earlier in the week.

On Tuesday night at a charity dinner in West Virginia, the president attacked Democrats, alleging they want to "abandon" all federal personnel that patrol the country's borders.

"You have to be tough. ... We need tough laws, we need fair laws," Trump said. "But when these people

come in ... illegally and they're dispersed across the country, and you see nests of MS-13. ... It's like you're liberating towns. And we send ICE in."

ICE and its proper role have become a major collective midterm election issue since the administration's practice of separating some migrant families entering the country illegally so the adults can face possible prosecution has become a national crisis.

Some congressional Democrats — including likely presidential candidates like Sens. Kirsten Gillibrand of New York and Elizabeth Warren of Massachusetts — say for the agency is doing more harm than good and should be terminated. Other Democrats have called for both major changes within ICE or for the Trump administration to alter the policies its agents are trying to enforce.

Pence said the calls to eliminate ICE are "unacceptable" and would lead to "more violent crime," ticking off a list of arrests of undocumented migrants who have been charged with crimes. He said ICE-made arrests have climbed nearly 100 percent in just a year.

Like his No. 2, Trump has seized on the more liberal wing of the party's calls for ICE to be terminated all together.

"We respect ICE. ... They take them out of there so fast," Trump told Fox News for an interview that aired Sunday. "Like in a war, you're liberating a town, an area. Sometimes they have to go in swinging. They don't mind. They're tough."

ICE Needs Reform, Not Abolition

By Jeh Charles Johnson

[Washington Post](#), July 6, 2018

Jeh Charles Johnson was homeland security secretary from 2013 to 2017.

"Abolish ICE" makes for a good rallying cry on the left. Demanding the abolition of the Immigration and Customs Enforcement agency also provides President Trump with a useful weapon for bludgeoning Democrats politically. He has said as much, and a good portion of the American public will listen to him.

I recently wrote here to condemn the administration's now-abandoned practice of separating children from their migrant parents. Now I write to oppose calls to abolish ICE.

The reality is that abolishing ICE is not a serious policy proposal; it's about as serious as the claim that Mexico's "gonna pay for the wall."

Elections have consequences. Those consequences are changes in policy, not typically the creation or elimination of whole agencies. If Americans don't like ICE's current enforcement policies, the public should demand a change in those policies, or a change

in the leaders who promulgate those policies. During the Vietnam War, millions of Americans demanded an end to the war; no one seriously demanded that we abolish the entire Defense Department. Obviously, that would have completely compromised national security.

To a lesser extent, the outright abolition of ICE would compromise public safety. ICE is a law-enforcement agency. It consists of essentially two components: enforcement and removal operations, or ERO, and homeland security investigations, or HSI, which is dedicated to the investigation of cross-border crimes such as smuggling dangerous drugs and contraband, the theft of intellectual property, child pornography and human trafficking.

During the last three years of the Obama administration, when I headed the Department of Homeland Security, President Barack Obama gave me the policy direction to focus ICE's deportation resources on recent border crossers and those undocumented immigrants convicted of serious crimes. We did that. In those years, the number of deportations from the interior United States went down, but the percentage of those deported who were serious criminals went up. We stripped away the barriers that existed between ICE and so-called sanctuary cities. By the time I left office, 21 of the 25 largest jurisdictions that had refused to comply with ICE detainers — written requests to delay the release of people arrested by local law enforcement — had signaled a willingness to work with ICE again in pursuit of the most dangerous undocumented criminals.

As we at Homeland Security asked ICE to focus more on criminals, we heard pleas from many in the enforcement and removal operations workforce whose pay had been capped at an arbitrary ceiling; we put them on the same pay scale with their law-enforcement peers. All this was a good step in the direction of public safety, and it was good for morale. In 2016, my last year in office, the morale within ICE's 20,000-person workforce increased 7 percent, according to the annual Federal Employee Viewpoint Survey.

Meanwhile, I constantly reminded ICE leadership that controversial, high-profile cases of fathers torn from their families and students pulled from their schools for deportation would turn ICE into a pariah in the very communities where its agents must work, and would threaten to undermine ICE's larger public-safety mission. I regret to watch that happening now, as ICE is vilified across the country and sanctuary cities are emboldened to proclaim themselves as such. My thoughts are with the hard-working men and women of the agency caught in the middle of this political firestorm.

Calls to abolish ICE only serve to sow even greater division in the American public and in its political

leadership, damaging any remaining prospect of bipartisan immigration reform. This is one of the things Americans hate about Washington — that politics has become the end, not the means. Most Americans — whether in Laredo, Tex., or Queens, N.Y. — do not embrace the emotional and absolutist views of immigration on the extreme right or on the extreme left. They simply want to secure the country's borders, to eliminate the inefficiencies in the system and to treat fairly the undocumented people who were brought here as children and have committed no serious crimes.

None of these interests is being served in Washington right now. It's just a screaming match. The American public must demand more of its leaders and those who seek that honor. In a democracy, governing requires compromise, compromise requires the acceptance of political risk, and political risk requires political courage. We must hope that sanity, and a little courage, someday, somehow prevail in Washington.

Ex-Homeland Security Secretary Under Obama Opposes Democrats' Calls To Abolish ICE

By Veronica Stracqualursi

[CNN](#), July 7, 2018

(CNN)Former Homeland Security secretary Jeh Johnson has come out against Democrats' calls to abolish the Immigration and Customs Enforcement agency, slamming it as an unserious policy proposal that could jeopardize immigration reform.

"The reality is that abolishing ICE is not a serious policy proposal; it's about as serious as the claim that Mexico's 'gonna pay for the wall,'" Johnson wrote in a Washington Post op-ed published Friday, referring to President Donald Trump's campaign promise that Mexico would fund the building of a massive wall on the southern border.

The former head of the Department of Homeland Security under President Barack Obama said that the calls to abolish ICE "only serve to sow even greater division in the American public and in its political leadership, damaging any remaining prospect of bipartisan immigration reform."

Ex-DHS secretary: No formal policy of family separation during Obama administration

Johnson also argued that eliminating the immigration enforcement agency, which also investigates drug smuggling and human trafficking across borders, would compromise public safety.

"If Americans don't like ICE's current enforcement policies, the public should demand a change in those

policies, or a change in the leaders who promulgate those policies," Johnson wrote.

He warned Democrats that they are providing Trump with a "useful weapon for bludgeoning Democrats politically."

Since progressive candidate Alexandria Ocasio-Cortez beat Democratic Rep. Joe Crowley in the New York primary, running on a platform of abolishing the agency, some lawmakers have echoed her call.

The agency has come under criticism for enforcing the Trump administration's "zero-tolerance" immigration policy at the border and separating parents from their children in order to criminally prosecute the adults for illegally entering the US.

Trump and Vice President Mike Pence have remained supportive of ICE and vowed that the agency would never be dismantled under the administration's leadership.

Don't Abolish ICE

[National Review](#), July 6, 2018

Prominent Democrats have decided that the Department of Immigration and Customs Enforcement should be abolished. We aren't surprised the "Abolish ICE" slogan has caught on, given the party has been moving left on the immigration issue for years. And for now, "Abolish ICE" is nothing but rhetoric: Even the agency's most strident opponents, perhaps wary of adopting a position too far outside the mainstream of public opinion, have been vague about what they would do after abolishing the agency. Hence Kirsten Gillibrand wants to abolish ICE, but also to "start over, reimagine it, and build something that actually works."

Nonetheless, the slogan is a useful shorthand for the Democratic position on internal immigration enforcement: as little as possible. Democrats have pointed to ICE's newness — it was created in 2003 — as evidence that the agency is inessential. But internal enforcement happened before 2003; it was simply performed by Immigration and Naturalization Services (INS). The creation of the Department of Homeland Security in the wake of 9/11 prompted a reshuffling of the executive branch's national-security apparatus. The wing of INS that handled green cards, citizenship, and work permits was reconstituted under U.S. Customs and Immigration Services, while the "enforcement" branch of INS was combined with certain customs operations to become ICE.

ICE is thus composed of two parts: Enforcement and Removal Operations, which enforces our immigration laws within the borders, identifies illegal aliens, and conducts deportations; and Homeland Security Investigations, which conducts investigations

into smuggling, human trafficking, and assorted criminal activity. Because this investigative wing of ICE is also responsible for conducting worksite enforcement — taking action against employers who hire and profit off of unauthorized workers — it may be that ICE's structure could be improved: The agency's enforcement-and-removal wing may be better suited to enforcing the law against these businesses than is the investigative wing.

But of course this isn't what "abolish ICE" is about. The Democratic party already has coalesced around the policy that only illegal immigrants who are convicted felons should be deported; internal enforcement against non-felons would then be unnecessary. We suspect it is the enforcement of our immigration laws itself that the Left objects to. A significant chunk of illegal immigrants are people who overstayed their visas. Abolishing our internal-enforcement agency would mean that these immigrants were de facto free to stay in the country so long as they did not commit a felony. And though ICE does not police the border, illegal border-crossing would be incentivized in a world without internal enforcement, as those who managed to make it into the country would not be subject to deportation. Without ICE, the U.S. would have an immigration system with mostly meaningless limits.

We would be happy to discuss ways to reform ICE and make it a more effective tool of internal enforcement. That is not the conversation Democrats want to have. "Abolish ICE" is at once an empty rhetorical flourish, a poorly conceived policy, and a sign of how much the Democrats have radicalized on immigration.

The Case For Abolishing ICE

[The Week](#), July 6, 2018

There is a growing backlash against Immigration and Customs Enforcement (ICE) in America.

The movement has been fueled by President Trump's divisive "zero tolerance" policy toward illegal immigrants, and the abhorrent practice of detaining immigrant children who have been separated from their parents. Many appalled protesters are looking for someone to be mad at besides Trump, and while ICE isn't responsible for rounding up and separating immigrant families at the border (that's Border Patrol), the anger being directed at ICE is warranted. It is an expensive, abusive, and unnecessary agency. We should get rid of it.

ICE has only existed for 15 years, during which time America's spending on immigration enforcement, tracking, and surveillance has swelled like a tumor. The U.S. spent \$187 billion on immigration enforcement between 1990 and 2013, according to the Migration Policy Institute. Deportations increased more than

tenfold between 1990 and 2011. And ICE spends \$2 billion every year to hold immigrants in private detention centers known for human rights abuses. One report found that, over seven years, ICE workers were accused of roughly 600 instances of sexual and physical abuse in detention centers. This is made worse when you realize that private contractors have been benefiting from the detention centers.

We now have a tangled monster of a system that incentivizes indefinitely holding people who have committed a civil infraction by crossing the border. We are spending a lot of money to punish families for nonviolent offenses — for doing a perfectly rational thing like trying to find more work, or trying to get their children out of violent, cartel, civil war-ridden countries.

Why do we even need ICE? The agency's main job is to find and apprehend illegal immigrants who are already in the country. In theory, this is different from Border Patrol, which is meant to patrol, well, the border, but technically can operate anywhere within 100 miles of the border. As the American Civil Liberties Union has frequently pointed out, two-thirds of Americans live within 100 miles of the border, which means two-thirds of Americans are already under the jurisdiction of both ICE and Border Patrol. This essentially makes ICE, and its \$3.8 billion annual budget, redundant. I can't think of anything ICE does that brings added value to the country, but I can point to numerous instances of the agency unnecessarily harassing Americans.

An increasingly large number of Americans seem to agree. It's not just fringe organizations like Antifa, social anarchist groups, and sundry leftists organizing protests and staging sit-ins at ICE locations, demanding the agency be dismantled. Serious, mainstream politicians, such as Sen. Elizabeth Warren (D-Mass.) and Sen. Kirsten Gillibrand (D-N.Y.), have thrown their weight behind the movement.

This is a big deal. It wasn't so long ago that Democrats themselves were vowing to crack down on illegal immigration. During his presidency, Bill Clinton helped create many of the laws we still use to deport people. Roughly 2.9 million people were deported on Barack Obama's watch. Back in 2005, before she began trying to sound vaguely humanitarian, Hillary Clinton was "adamantly against illegal immigrants." The fact that there is a palpable fight going on within the Democratic Party over how daring to be on the issue of abolishing a government agency tasked with cracking down on illegal immigrants means the party is changing.

This new push by liberals is unusually on point. The core demands — no more ICE, no more criminalized migration, and no more family separations — are surprisingly focused, considering how disjointed

and unfocused other large leftist movements have been. Take the Women's March, for example. Ostensibly the participants were marching for women's health care and against sexual assault braggadocio in presidents. But they seemed an awful lot like disgruntled Hillary Clinton fans, mad that their candidate lost. What, exactly, did they want?

Shutting down ICE probably wouldn't solve the problems this country has with militarized law enforcement. But, as MSNBC host Chris Hayes tweeted, "you don't need an agency devoted to unauthorized immigration to apprehend violent criminals." Indeed. Our massively redundant federal law enforcement already includes the FBI, the CIA, the NSA, the DEA, and more. All of them spy on us, and all of them share information with one another. Any of them, along with local law enforcement, can be tasked with tracking down potentially dangerous illegal immigrants.

People often claim the left loves big government. But right now, those lefties are saying the government should be a little bit smaller, and a bit less cruel. We should listen.

Democrats Don't Actually Know What Abolishing ICE Looks Like

By Lissandra Villa

[BuzzFeed](#), July 8, 2018

A growing number of Democrats are getting behind the call to "abolish ICE," the US Immigration and Customs Enforcement agency, but there's little clarity among Democrats as to what that actually means.

The progressive rallying cry was heard around the nation after Alexandria Ocasio-Cortez upset a powerful House Democrat in a New York primary on a platform that featured abolishing ICE. Since then, a growing number of Democratic lawmakers and candidates have backed the position, frustrated with the stories of family separations at the border.

Democrats have leaned into the call even without many specifics on what the proposal would actually entail, despite how straightforward it sounds. ICE has a host of responsibilities in addition to immigration enforcement, including investigating child exploitation, detecting money laundering, running the Student and Exchange Visitor Program, and helping prevent terrorism. Abolishing the agency would mean leaving those tasks (and there are many) to other government organizations or eliminating them altogether.

Largely, Democrats who support the movement say they want to have a discussion now and are comfortable with figuring out the details later.

"Are there other agencies that already exist that are equipped to do some of those functions that ICE is doing? I mean, we have the FBI, we have the Department of Justice. I mean, even the Department of Labor focuses on issues of human trafficking," Massachusetts Rep. Jim McGovern, who has called for abolishing ICE, told BuzzFeed News. "Do we have duplication of efforts here? Let's figure out how we do this better and how we have an immigration policy that better reflects our values."

"Let's bring all the experts and bring all the community activists together and actually talk about who should be doing what, and do you need ICE when you have other agencies that are supposedly tasked with doing similar if not the same task?"

But a discussion is a far cry from what "abolish ICE" implies at face value.

"The abolish ICE people can't answer the question of where immigration enforcement responsibilities would go. Just like GOP couldn't answer what they'd replace [Obamacare] with. It sounds bold but it's only a surface level solution," one Democratic aide told BuzzFeed News in a series of texts.

When asked what abolishing ICE means to them, some Democrats approached the question instead by starting with what it doesn't mean. It doesn't, they are quick to point out, mean open borders, the way President Donald Trump and his administration have falsely tried to portray it.

Matt Haggman, a Democrat running in Florida to replace retiring Republican Rep. Ileana Ros-Lehtinen, said that to avoid Republicans using the "abolish ICE" movement as an attack against them, Democrats have to be "clear in what [they're] arguing for." Asked if he thought those Democrats were being clear enough now, Haggman, who has cut an ad calling for ICE to be "shut down," told BuzzFeed News, "I think that we can all become clearer."

"But I think that's OK. I think that the point is that we're hearing voices loudly call for change, and while the voices are loud and many, I think as time goes by, I think we'll also get sort of greater clarity on what exactly that change looks like."

Haggman said he sees the "abolish ICE" call as one facet of broader, comprehensive immigration reform.

Another Democratic candidate for Congress, Massachusetts state Rep. Juana Matias, who is running in the state's 3rd District, called on Congress to review ICE's practices to determine "which federal agency would be better suited to uphold and enforce humane immigration and customs related policies." She said she looks forward to having a broader discussion on this within the party.

"In the meantime, we can start by eliminating ICE's Enforcement and Removal Operations (ERO) capabilities," Matias said in a statement to BuzzFeed News.

While the "abolish ICE" movement has split the Democratic Party, with many of the party's leaders unwilling to go that far, Democrats aren't on entirely different pages. In fact, there's seemingly perfect unity on some basics — that family separations shouldn't be happening, that the nation's immigration laws need a comprehensive overhaul, and that ICE's priorities aren't in check.

The specifics of what should happen to ICE are where Democrats start to fall apart.

House progressives are at work to introduce long-shot legislation that, if passed in the Republican-controlled chamber, would create a commission that would give recommendations on how to redesign the agency and what responsibilities to transfer elsewhere. The legislation "would abolish the agency within a set period of time," according to the office of Rep. Mark Pocan, a Wisconsin Democrat leading the legislation. The time frame is still being worked out, but New York Rep. Adriano Espaillat said one of the proposals is to give ICE until the end of 2018.

"We will have from now until the end of December to determine which is the new agency that should pick up the jurisdiction that's currently given to ICE," Espaillat told BuzzFeed News of the plan. "There's a debate as to whether or not the new agency should be part of the Justice Department as opposed to the Department of Homeland Security. Or that it should be maybe an independent entity. And that's something that we can discuss for the next three or four months and then be able to come up with a good recommendation."

Espaillat demurred when asked what he thought dismantling ICE should look like, saying that he didn't think it was fair to "jump the gate" but that he welcomed the process of having a "broad discussion."

In the Senate, some progressives are also lining themselves up with calls to abolish ICE. New York Sen. Kirsten Gillibrand was the first to outright say ICE should be abolished.

"Senator Gillibrand has stated her vision for replacing ICE by separating the criminal justice and immigration missions. ICE needs to be reimagined under a new agency with a different mission and different leadership," a spokesperson from Gillibrand's office told BuzzFeed News in a statement in response to questions about ICE's current responsibilities, ranging from which should continue to exist to which should be transferred to other agencies.

The spokesperson pointed to reports that at least 19 ICE investigators have asked the Department of Homeland Security to dissolve the agency over concerns that the administration's priorities have inhibited its ability to focus on other threats. In a letter to the department's secretary, the agents asked to separate ICE's responsibilities.

"With the right leadership, we can create a new agency that works," Gillibrand's spokesperson said.

Ocasio-Cortez herself, while being on the record as saying that it is necessary to have protection at the border, has not gone into detail on what abolishing ICE looks like to her.

In Congress, the "abolish ICE" argument could well be moot: If Democrats can't make dramatic wins in this year's midterms, there's little chance of meaningful reform happening, at least in the way they want.

"We have people who say, fix it, reform it, tweak it, I mean, whatever," McGovern said. "Whether you say 'abolish ICE' or whether you're saying these other things, I think it kind of gets to the same point, and that is that [ICE] is not what was intended, and it has become a very polarizing agency within our communities."

More Democrats Want To Abolish ICE. Decriminalize Migration? Not So Much.

By Roque Planas

[Huffington Post](#), July 6, 2018

DEL RIO, Texas — The Trump administration's scorched-earth tactics against unauthorized migrants, most potently symbolized by its family separation policy, have emboldened a growing number of Democrats to embrace the idea of abolishing Immigration and Customs Enforcement — a complex policy proposal that would reassign the functions of an agency that employs tens of thousands of officers.

But when it comes to challenging the immigration prosecutions that allowed the White House to split up more than 2,000 families at the border — a simple proposal that would involve repealing a single, 120-word federal criminal statute — Democrats have found no such consensus.

Spencer Platt via Getty Images Jenquel, who recently crossed the U.S.-Mexico border with her mother and siblings, speaks with volunteers at the Catholic Charities Humanitarian Respite Center on June 21 in McAllen, Texas.

Crossing the border without authorization is currently a crime — punishable by up to six months in jail the first time and up to 20 years for repeat offenders. That leaves federal prosecutors spending their time funneling people into jails who will then face the civil

immigration system anyway. Such cases have consistently accounted for about half the federal criminal caseload over the last decade — an entirely duplicative system of immigration enforcement. When the White House began separating families en masse, it relied on that criminal statute.

HuffPost asked more than a dozen prominent Democratic members of Congress, including some of the most liberal on immigration matters, whether they favored repealing the law that criminalized unauthorized immigration and made Trump's family separation policy possible. Most declined to respond. Only one, Rep. Raul Grijalva of Arizona, said yes.

As the representative for the Tucson area, Grijalva is familiar with the system of immigration prosecutions that swallowed up half the federal criminal docket years before Trump took office. The magistrate courthouse there has had the capacity to charge and convict up to 70 migrants per day for years.

But his Democratic colleagues, consumed by the politics of family separations at the border or the urgency to find a solution for Dreamers after the White House repeal of the Obama administration's 2012 Deferred Action for Childhood Arrivals program, rarely discuss reforming the migrant prosecution system. He suspects that even if they did, getting people to support it might present a challenge.

"Nobody wants to be like, 'Oh, I want to undo a law that has been around forever,'" Grijalva said.

Indeed, some Democrats, like Sen. Catherine Cortez Masto of Nevada, who vocally opposes the Trump administration's family separation policy, see little problem with criminalizing unauthorized migration.

"We always want to have that be part of criminal law," Cortez Masto said of the statute criminalizing unauthorized border-crossing, noting that she used to serve as her state's attorney general. "I respect strong borders. What we should be doing is assuring that we are not prosecuting people seeking asylum."

That view, however, is increasingly out of step with a growing grassroots movement to upend ICE and separate the criminal justice system from civil immigration issues.

"Separating families with no plan to reunite them is a nightmare," Judy Greene, the co-author of a Texas Observer article arguing that Congress should repeal the statute making unauthorized border-crossing a crime. "And the root of the problem is criminalization."

Even some former law enforcement officials have grown skeptical of spending so much time jailing migrants over misdemeanors. A group of 75 former U.S. attorneys penned a letter calling Attorney General Jeff Sessions' "zero tolerance" policy of indiscriminately

prosecuting border-crossers an expensive and dangerous way to traumatize children. Alonzo Peña, the former deputy director of ICE, called the zero tolerance policy “totally ineffective.”

“You’re spending time on really senseless, useless cases that in no way are going to improve national security or public safety,” Peña told HuffPost. “How’s that going to serve justice?”

A Segregationist Legacy.

Library of Congress Former Sen. Coleman Livingston Blease was a segregationist who left an enduring legacy by spearheading a 1929 law criminalizing unauthorized border-crossing.

The statute criminalizing the act of crossing the border outside a port of entry traces its origins to 1929, when it was put forth by U.S. Sen. Coleman Livingston Blease — a segregationist and immigration hard-liner from South Carolina known for publicly celebrating the lynching of black men with a ritual dance.

Blease’s proposal to criminalize unauthorized immigration immediately led to an expansion of the federal prison system, according to the book *City of Inmates* by Kelly Lytle Hernandez. Congress later enshrined the criminal penalty for crossing the border illegally in the Immigration and Nationality Act of 1952.

But the modern practice of prosecuting migrants for illegal entry in addition to putting them through deportation proceedings traces its origins to the three-story brick courthouse in downtown Del Rio, Texas — a 36,000-resident border town.

In 2005, the area around Del Rio saw an uptick in the number of Central Americans crossing into the United States. Unlike Mexican nationals, Border Patrol could not immediately repatriate them — the U.S. lacks international agreements with countries beyond its borders to carry out such swift deportations. But the area had exhausted its detention bed capacity, so agents had little choice but to release many of the people they arrested with notices to appear in immigration court.

To find more bed space, the departments of Justice and Homeland Security teamed up to create a new initiative: Operation Streamline. Under that program, the Justice Department would prosecute dozens of migrants at a time to funnel them into pretrial criminal detention in jails run by the U.S. Marshals Service before sending them for processing in the civil immigration system. A plaque on the first floor of the courthouse hung in 2008 and signed by former Commissioner of Customs and Border Protection Ralph Basham commemorates Streamline’s founding, praising the program as a “successful collaboration to protect the borders of the United States while safeguarding the rights of individuals to due process.”

But what began as a narrow project to create detention bed space in a single city quickly morphed into a border-wide initiative. By 2009, the year after the economic crisis wreaked havoc on the U.S. economy, the number of border arrests had plummeted to fewer than half of the 1.2 million registered the year Streamline started. But the number of immigrant prosecutions kept rising, peaking at more than 90,000 cases in 2013, and leaving President Barack Obama with the unexpected legacy of locking up more people of color on federal criminal charges than any president in recent history.

The federal government shelled out at least \$7 billion over the program’s first decade in incarceration costs alone, according to the 2016 book *Indefensible*, co-authored by Greene. That figure that doesn’t include the costs of judges, public defenders, transportation and other services needed to make those redundant prosecutions happen. Grassroots immigrant rights activists routinely protested the prosecutions, particularly in Tucson, but the trend went largely unquestioned by Democrats during Obama’s presidency.

The disconnect between the plummeting number of illegal entries and the federal government’s enthusiasm for prosecuting that crime is now clearly on display in Del Rio, where the system began. The day after President Donald Trump signed an executive order halting his administration’s family separation policy, 26 migrants wearing orange pants, dark blue V-neck shirts and surgical masks sat on the benches before U.S. Magistrate Judge Victor Roberto Garcia at the federal courthouse in Del Rio. The shackles restraining their hands and feet clanked when they stood to face their charges.

Border Patrol agents had arrested the migrants and referred them for prosecution. A single public defender handled all the cases, offering some variation of the statement that his clients had come to work and send money home to spouses and children back home. None had been separated from their children before appearing in front of the judge.

Judge Garcia sentenced first-time crossers to 10 days in jail and the four people caught for their second time to 25 days. The average daily bed rate for the U.S. Marshals Service totaled roughly \$76 per night in 2015, bringing the cost of jailing the migrants to roughly \$25,000 — enough to pay a student’s in-state tuition at a public university for nearly three years.

Democrats Increasingly Like The Slogan But Lack A Vision.

Pacific Press via Getty Images The Democratic Socialists of America march to “Abolish ICE” in New York City on June 29. Mainstream Democrats are increasingly

embracing the slogan but often lack a specific policy vision.

The White House's stance on these sorts of prosecutions is clear: Vigorous enforcement of immigration as a criminal matter deters would-be unauthorized migrants.

Multiple independent studies undermine the conservative contention that immigration prosecutions act as a deterrent, but the conservative position is at least consistent. The Democrats' stand on migrant prosecutions is not. Obama embraced them with little complaint from his colleagues in Congress. Democratic presidential candidate Hillary Clinton took no position on the issue during her 2016 campaign, even as Trump promised to increase mandatory minimum sentences for people convicted of illegal re-entry.

And unlike the White House, the minority party in Congress appears largely unfamiliar with the issue. Indeed, rallying around the cause of abolishing ICE in the wake of the family separation policy points to confusion about how the immigration enforcement system works.

Sen. Dick Durbin (D-Ill.), for example, derided ICE as a "group of incompetents" in an interview this week with CNN, saying the agency was "focused more on toddlers than on terrorists." (A spokeswoman for Durbin's office clarified he doesn't favor abolishing the agency.) But ICE, which is responsible for detaining and deporting migrants, had little to do with carrying out the family separation policy, which fell primarily to Border Patrol and the Justice Department.

The call to dismantle the ICE, first cogently argued by Sean McElwee in the pages of *The Nation*, predated the official announcement of the family separation policy. McElwee contended that conflating immigration enforcement with the wider goal of national security, as Congress did when it created ICE and put it under the Department of Homeland Security in 2002, undermines human rights. It logically follows, according to McElwee, that Democrats who embrace the vision should also support decriminalizing migration.

"Abolish ICE" is a demand, and the correct and appropriate way for the Democratic Party to start meeting that demand is to start coming up with policies," McElwee said. "These policies are explicitly racist and premised on white supremacy."

But many Democrats who jumped on the #AbolishICE bandwagon following the outcry against the family separation policy have yet to articulate a vision of what they'd replace it with, if anything. The first member of Congress to put forward a bill contemplating the end of ICE was Rep. Mark Pocan (D-Wis.), who announced his proposal after visiting McAllen, Texas, amid the

outcry over family separations. His bill would establish a commission to recommend a substitute for the agency, relieving him of the responsibility of floating a proposal.

Other prominent Democrats, including Sens. Elizabeth Warren (Mass.) and Kirsten Gillibrand (N.Y.) and New York City Mayor Bill de Blasio, have floated an ethereal proposal to scrap the agency and replace it with some unspecified, better thing. Sen. Bernie Sanders (I-Vt.) tweeted a still more vague yet somehow more expansive vision Tuesday, calling for "restructuring the agencies that enforce our immigration laws, including ICE."

Such aspirationalism allows establishment Democrats to harness the power behind the idea of abolishing ICE without taking a meaningful position on the underlying goal that animates that movement — to radically undercut the government's deportation efforts.

But when it comes to taking a position on the prosecutions the White House used to separate thousands of families at the border, most Democrats in Congress don't even have a vague aspiration to tweet. They have no position at all.

Mitch McConnell Confronted By Louisville Protesters Saturday

By Darcy Costello

[Louisville \(KY\) Courier-Journal](#), July 7, 2018

A group of protesters confronted Senate Majority Leader Mitch McConnell on Bardstown Road in Louisville Saturday, calling out "Abolish ICE" and "No justice, no peace."

The interaction was captured on video and shared with Courier Journal. In it, someone asks McConnell, "Where are the children? Where are the babies, Mitch?" — an apparent reference to the separation of children from families at the southern U.S. border.

"What are you doing to get the babies back?" someone asks in the clip.

McConnell, wearing a green shirt tucked into blue jeans, isn't shown reacting or responding to the protesters. He walks past a sign for Bristol Bar & Grille, turns a corner and gets into a vehicle.

As his car pulls away, someone can be heard saying, "We did good, fellow citizens."

A McConnell spokesman did not immediately respond to a request for comment.

A large rally against Immigration and Customs Enforcement took place in downtown Louisville on Saturday morning, as protesters showed support for an ongoing Occupy ICE Louisville demonstration.

McConnell has praised Trump's executive order unraveling the administration's practice of separating

immigrant children from their parents at the border when he signed it late last month.

"I'm glad the president took this step," McConnell said in a statement. "... I hope the federal courts reconsider the decision that limits an administration's ability to keep families together while their immigration status is being determined."

The administration, though, has said it may miss a deadline to reunite nearly 3,000 children separated from their parents by the end of the month. The government says it's struggling to complete the process of verifying relationships, locating parents and ensuring they are safe caregivers.

A few weeks ago, McConnell and his wife were confronted by protesters over immigration as they left a dinner at Georgetown University in Washington D.C.

One protester, just inches from Chao, repeatedly shouted, "How do you sleep at night?" Another asked McConnell why he was separating families, to which Chao said, "He's not."

Chao also pointed her finger at the protesters, saying several times, "You leave my husband alone. Leave my husband alone."

Reporter Phillip M. Bailey contributed to this report. Darcy Costello: 502-582-4834; dcostello@courier-journal.com; Twitter: [@dctello](https://twitter.com/dctello). Support strong local journalism by subscribing today: www.courier-journal.com/darcyc.

What's Driving The Movement To Abolish ICE?

By Matt Loffman

[PBS NewsHour](https://www.pbs.org/newshour/politics/what-s-driving-the-movement-to-abolish-ice), July 6, 2018

In the past week, Immigration and Customs Enforcement has become the target of a growing number of Democrats in Congress who are unhappy with the Trump administration's immigration priorities — especially its separation of families at the border.

Progressive activists have been calling to abolish ICE for months, and this week, one protester was arrested after climbing the base of the Statue of Liberty on the Fourth of July. These activists have recently been joined by Democratic Sens. Elizabeth Warren of Massachusetts and Kirsten Gillibrand of New York, along with Alexandria Ocasio-Cortez, the Democratic socialist who defeated Democratic Caucus Chair Rep. Joe Crowley in a primary race last week, using the dismantling of ICE as a major part of her platform.

"I believe you should get rid of [ICE], start over, reimagine it and build something that actually works," Gillibrand told CNN.

Trump has criticized this idea several times on Twitter, offering his support for the agency established in 2003 and accusing Democrats who support the efforts as wanting "open borders."

"Every day, the brave men and women of ICE are liberating communities from savage gangs like MS-13," Trump wrote on Thursday. "We will NOT stand for these vile Democrat smears in law enforcement. We will always stand proudly with the BRAVE HEROES of ICE and BORDER PATROL!"

While some senators have called for re-examining ICE, calls to dismantle the agency have so far been led by a small but vocal group of progressive activists and lawmakers.

The White House formally ended the practice of separating families at the border last month, and now faces court-ordered deadlines to reunite them. It has said any effort to dismantle ICE would "grind immigration enforcement to a halt, with devastating consequences for public safety." According to data released by the White House, ICE agents arrested more than 127,000 undocumented immigrants with criminal convictions or charges in 2017, including more than 78,000 drug offenses and 1,800 homicides.

Vice President Mike Pence reinforced the administration's position Friday during a speech to ICE employees in Washington, D.C.

"In this White House, let me be clear, we are with you 100 percent," Pence said. "These spurious attacks on ICE by our political leaders must stop."

While some senators have called for re-examining ICE, calls to dismantle the agency have so far been led by a small but vocal group of progressive activists and lawmakers. To understand the current fight over ICE, here's what we know about the agency's history, its role under Trump and what's next. How was ICE created?

Immigration became a federal responsibility and priority in the late 1800s and was formalized as a division of the Treasury Department in 1891.

In the more than 100 years since, immigration has been shuffled among several federal agencies, including the Commerce, Labor and Justice Departments, before landing in the newly-created department of Homeland Security in the years after the Sept. 11 terror attacks.

"Whatever federal government agency handles immigration is a great window into how we think about immigration and its role in the United States," said Erika Lee, the director of the Immigration History Research Center at University of Minnesota.

ICE's recent home inside DHS signals a decades-long "shift in America as nation of immigrants and thinking about immigration as a good to immigration as a national security threat."

The most recent home inside DHS signals a decades-long “shift in America as nation of immigrants and thinking about immigration as a good to immigration as a national security threat,” she added.

While Lee says it may seem like there’s a newfound outsized fear of immigrants, she sees echoes of the nation’s complicated history and response to outsiders, one that stretches back more than a century to the Chinese Exclusion Act of 1882 and the backlash against Irish Catholics in the mid-1800s.

The current Immigration and Customs Enforcement was one of three agencies established in 2003 from what used to be the Immigration and Naturalization Service (INS). ICE’s mandate is to enforce approximately 400 federal immigration and labor-related statutes, primarily in the nation’s interior, and work to remove people for immigration violations. One duty includes monitoring businesses for undocumented workers, but patrolling the border itself is left to Customs and Border Protection, another agency formed in the 2003 shakeup. ICE and immigration under Trump

Since Trump took office, historians like Deborah Kang, a professor at California State University San Marco and author of “The INS on the Line: Making Immigration Law on the US-Mexico Border,” have seen a wholesale shift in ICE’s priorities.

“They’re focused on removing green card holders — legal permanent residents,” Kang said.

The current ICE policy stems from the Illegal Immigration Reform and Immigrant Responsibility Act, a 1996 law signed by then-President Bill Clinton. It says immigrants can be deported for committing any crime, including misdemeanors. The country’s network of 200 ICE detention centers began to pop up in the years after Sept. 11, when there was a surge of funding for immigration enforcement. That funding has more than doubled since 2005, according to the Center for Migration Studies. The average daily population of immigrant detainees has also surged since the 1996 law was enacted, from around 9,000 a day in 1996 to more than 38,000 a day in 2017, according to CMS.

In addition to new enforcement priorities, Amy Gottlieb, an immigration lawyer and activist currently working for American Friends Service Committee, sees a new trend in language, too.

“There’s been a lot of rhetoric and a lot of anger and a lot of suspicion and a lot of scapegoating around immigrants,” Gottlieb said.

She points to Trump’s election as something that “really opened up language that people were sitting on, holding onto, not willing to put out there publicly,” Gottlieb said. “Trump made it okay to suddenly talk about an invasion and talk about immigrants as criminals.”

Gottlieb has experienced shifting ICE priorities regarding legal permanent residents firsthand. Her husband, Ravi Ragbir, has lived legally in the United States legally for more than two decades.

“I can’t name a single thing that ICE has done to protect public safety in our community. Not a single thing.” — Amy Gottlieb, immigration lawyer and activist

Following a wire fraud conviction in 2006, Ragbir served two and a half years in ICE detention facilities. In the years since, he continued to appear at regular check-in meetings with immigration agents. Despite his criminal conviction and the 1996 law that could have been used to deport him to Trinidad and Tobago, Ragbir never faced a serious deportation threat because of the Obama administration policy of prosecutorial discretion.

That all changed during his most recent appointment in January.

“They arrested him in front of my eyes. They handcuffed him and they flew him that very day to Miami trying to deport him,” Gottlieb said. “To me that was an incident of state-sponsored violence. I will not ever forget that moment.”

Ragbir was held in custody for 11 days before a court ordered his release. Gottlieb says in the nearly six months since Ragbir’s detention she and her husband live “one day at a time.”

It’s experiences like Ragbir’s and increased ICE enforcement in recent months that Kang says has “created the kind of opposition you’re seeing to ICE right now.”

Gottlieb and Ragbir are two of the many activists who are calling on the government to abolish ICE.

“I can’t name a single thing that ICE has done to protect public safety in our community. Not a single thing,” Gottlieb said. “You can’t fix an agency that is so broken and has so much power.” What’s next?

The idea of abolishing ICE has so far only attracted limited support from some Democrats in Congress. Rep. Mark Pocan, D-Wis., already introduced a bill to abolish ICE, and Washington Democratic Reps. Adam Smith and Pramila Jayapal are working on another. But any attempt to phase out ICE is likely face strong opposition in the Republican-controlled House and Senate.

Supporters of the agency, like former acting ICE director Thomas Homan, who retired at the end of last month after 30 years in immigration enforcement, say ICE agents are simply doing their job as prescribed by the law.

“The system needs to be fixed. I’m the first one to agree to that,” Homan told PBS NewsHour anchor Judy Woodruff in May. “If the law doesn’t work, then fix the law. Don’t ask the law enforcement officer to ignore it. No

one asks the FBI to ignore their job. No one asks the DEA to do their job. We're no different."

"If the law doesn't work, then fix the law. Don't ask the law enforcement officer to ignore it." - Former Acting ICE Director Thomas Homan

People like Sen. Angus King, I-Maine, have hesitated to call for abolishing the agency altogether, though they have encouraged Congress to re-examine it.

"I don't know how you abolish an agency without abolishing the function, and I think the function is necessary," he said Sunday on NBC's "Meet The Press." But he also said it makes a "hell of a lot of sense" to take a close look at how they're carrying out enforcement, adding, "there are a lot of questions to be answered."

Some type of action — whether legislatively or in the courts — could become more likely if protests grow louder, Kang said.

"What we've seen in the past is that when people protest and protest enough, there actually is change," Kang said. "These protests do have an impact in helping to raise awareness of problems with our immigration bureaucracy and achieving some degree of reforms. These reforms are limited, but sometimes reforms can happen."

Still, Kang notes, "just getting rid of ICE isn't going to solve the problem." Congress would likely just shift responsibility for interior immigration enforcement to other agencies inside the Department of Homeland Security, like Customs and Border Protection.

Instead, Lee says 21st century questions about "balancing national security and economic prosperity" require a comprehensive analysis of immigration in the United States.

"The calls for abolishing ICE is part of a much larger reimagining of our country's relationship with immigration," she said, the latest iteration of an immigration struggle the federal government has wrestled with for more than 100 years.

What Is ICE Supposed To Do? The Strange History Of US Immigration And Customs Enforcement

By Heather Timmons

[Quartz](#), July 7, 2018

America's generations-old battle over who gets to live in this nation of immigrants is raging anew, and the agency known as ICE has become a lightning rod. Formally US Immigration and Customs Enforcement, the agency has been described as America's Gestapo by critics, its own agents are calling to dismantle it, and some citizens and Democrats are rallying behind the

hashtag #AbolishICE. At the same time, Donald Trump has hailed ICE as the only thing keeping the country from exploding into "rampant uncontrollable" crime and gang "infestation."

No matter what side of the US immigration debate you're on, there's one thing that everyone can agree on: The current system is a disaster. About 11 million people live in the US without authorization, tens of thousands more try to cross the southern border illegally every month, and thousands of kids are currently in government custody without their parents. Meanwhile, the US's immigration courts are a bureaucratic backwater, sitting on hundreds of thousands of pending asylum and refugee cases for years.

"There's no way everyone is going to be happy with what you do," one former top ICE executive tells Quartz, adding that his agents were expected to "treat people with respect and enforce the law." Under Trump, however, ICE is being accused of failing even those basic functions. The #AbolishICE movement is just the loudest and latest in a long history of both Democrats and Republicans questioning ICE's very existence. What ICE was built to do

"The progressive call to 'abolish ICE' is not just a knee-jerk anger at cops," said Moira Whelan, a former DHS official who also worked on the first Congressional oversight committee for the agency. "It is also a recognition that they aren't doing what we built them to do."

Before the creation of ICE 15 years ago, immigration violations were handled by the Immigration and Naturalization Service, which was part of the

"We could not find any documentation that fully explains the rationale and purpose behind ICE's composition." Department of Justice, and worked closely with the Department of Labor. A separate force, called Border Patrol, monitored the borders.

In the shell-shocked aftermath of Sept. 11, 2001, then-president George Bush and Congress created the Department of Homeland Security, a mega-bureaucracy that now has 229,000 employees and a \$50 billion annual budget. Born from 22 different agencies that reported to different cabinet secretaries, DHS was supposed to streamline the process for getting goods and people into the US, and keep dangerous people out. Its subsidiary agency ICE is supposed to focus on the latter.

ICE's primary mission is to "prevent acts of terrorism by targeting the people, money, and materials that support terrorist and criminal activities," as described by the Department of Justice in 2004. The focus was meant to be on crimes like money-laundering and human trafficking, and ways terrorists could get

anything from small pox to suitcase bombs into the country.

But did ICE make sense on its own? In 2004, the conservative Heritage Foundation suggested ICE be merged out of existence, by combining it with the new border force, Customs and Border Protection. And in 2005, the Department of Homeland Security's inspector general concurred in a 175-page report (pg. 19) that there was little reason for ICE to have been created at all:

We could not find any documentation that fully explains the rationale and purpose behind ICE's composition. One senior official offered the following explanation...ICE was established with not a focus on supporting a particular mission, but on building an institutional foundation large enough to justify a new organization.

Were ICE to just focus on immigration fraud, employee sanctions, and removing dangerous people who were illegally already in the country, it would be a small agency, the report notes. Instead, though, ICE was "sized up," to become a large bureaucracy in its own right. How ICE became a deportation machine

In the following years, the agency grew wildly. Its budget jumped in 2009, when Congress started funding ICE detention centers based on arbitrary numbers of beds set by lawmakers. This essentially established a quota of detainees for ICE agents to catch. Most of its budget—\$4.1 billion of this fiscal year's \$7.1 billion this fiscal year (pdf, pg. 2)—goes to "detention and removal operations."

ICE currently maintains over 40,000 beds worth of people who crossed the border illegally, and private contractors are big beneficiaries of these detentions—Geo Group and CoreCivic both made about a quarter of their revenue from ICE contracts in 2017. ICE estimates that the cost to the US taxpayer per bed is about \$126 per day, though the Government Accountability office thinks that's too low.

Today, only the agency's 6,000 Homeland Security Investigations (HSI) agents are tasked with ICE's original mission: tracking terrorism and transnational crime syndicates in the US and around the world. About 8,000 ICE agents are dedicated to locating, arresting, detaining, and removing undocumented immigrants; the agency's 1,100 attorneys and 300 staff also prosecute the government's immigration cases each year.

As Whelan points out, the focus on immigration violations is a clear sign of drift from ICE's original mission, when "the transnational crime prospect was the major priority, not moms with three year olds crossing the border, not farm workers or people seeking political asylum." While ICE isn't responsible for carrying out

Trump's controversial policy of taking immigrant children from their parents at the border—that's Customs and Border Patrol—it does hold and deport the parents.

ICE's 20,000 employees make it one of the smaller parts of DHS, but its \$7.1 billion budget is greater than that of the 57,600-employee Transportation Security Administration (TSA), the agency tasked with securing US skies, rails, highways, and mass transit systems. ICE changes with the president and economic conditions

As the DHS was born, massive changes were happening south of the border. As Mexico's economy improved, Mexican citizens coming illegally for work plummeted. But people from El Salvador, Guatemala, and Honduras were driven to the US by violence, drought, and, some immigration officials say, lenient US policies.

George Bush Jr. started the "catch and release" policy of releasing these asylum-seekers into the US while they awaited lengthy hearings and trials in the overloaded immigration court system. To stop "catch and release," Bush said in his 2007 State of the Union address, ICE would add nearly 7,000 more detention beds.

Under Barack Obama, ICE was still responsible for detention and deportation, but its interior functions were redirected. In 2011, John Morton, then director of ICE, ordered agents to exercise "prosecutorial discretion" by focusing on the violators of US immigration laws who posed the greatest threat to national security and border safety. ICE agents struggled with the responsibility. They were told "Make a sound law enforcement decision and we'll support you," a former ICE official said, but wondered "If I decide not to arrest someone [who is] here illegally, and they kill someone, then what?"

"It is easier to deal in black and white," he said.

The Obama administration also started the DACA program, which was meant to provide a path to citizenship for young adults brought to the US illegally as children. This had consequences at the border, ICE and other US immigration officials say. After DACA was announced, "suddenly we had tens of thousands of kids getting thrown across the border," said Chris Crane, the head of National ICE Council, a union that represents 7,600 ICE officers. Others argue economics contributed to the surge.

By no coincidence, the ICE union and the Border Patrol union were among the few federal government agency unions to endorse Trump ahead of the 2016 election. Crane, a vocal critic of presidential immigration policies for years, said then that "America has been lied to about every aspect of immigration in the United States," and only Trump can "put politics aside to fix the problem." Trump's nationwide manhunt

Just days after his inauguration, Trump issued an executive order on "Enhancing Public Safety in the Interior of the United States." A sharp turnaround from the Obama administration's approach, it instructed government agencies to deport all "removable aliens."

The result has been a nationwide manhunt that has ensnared people who have been in the country peacefully for years or decades. Some have children who are American citizens, and many have paid US taxes for years. The people detained or deported include the Salvadoran teenager in Long Island who was an FBI informant, a Long Island man from Albania who'd worked at the same diner for 24

"Our government has sold out to big business and the Chamber of Commerce." years, a father from Bangladesh who was arrested as he was getting his kids ready for school, immigration activists, and multiple military veterans.

When everyone is a target for deportation, immigration lawyers and some long-time law enforcement officials worry, the agency isn't focusing resources on what it is supposed to be doing. "The stripping of discretion from ICE officers has been one of the most damaging policies that we've seen under this administration," said Kate Voight, the associate director of government relations with AILA, a group of immigration lawyers that has testified to Congress on immigration issues. It's a "system-wide escalation at the expense of due process and fairness."

Under the new system, ICE's stated commitment to respect has also gone out the window, critics say. When Sokol Vokshi, a 47-year old Long Island waiter whose immigration status has been working its way through the courts for years, reported to a scheduled meeting with ICE officials, he was handcuffed and taken to the airport. ICE wouldn't let him say goodbye to his teenage daughter, and threw his lawyer out of the room, the attorney recalls.

"They have the discretion to implement the laws in a humanitarian way," Altin Nanaj, Vokshi's lawyer, said, "and they're just acting like robots." ICE agents may say they're just doing their jobs, he said, "but so did the Nazis, and they were held accountable."

ICE acknowledges that the administration influences the way it operates. "As a law enforcement agency,

ICE carries out its mission within the framework established by each respective administration," an ICE spokeswoman said. That framework includes presidential executive actions, and changes with every change of administration, she said. "But

ICE's fundamental mission has been and remains the enforcement of U.S. immigration and customs laws

to promote homeland security and public safety," she said. What ICE has accomplished under Trump

When he took office, Trump pumped up DHS's budget, even as he proposed slashing most other agencies' funding, and said he planned to hire thousands more immigration agents and add more detention beds. In increasingly heated statements, the White House paints immigrants as criminals and animals, although multiple studies and comparisons show they pose less of a threat to US citizens than other US citizens do.

The overall number of people trying to cross the US southern border plummeted in the months after Trump took office. Even so, removals from the interior of the country increased by about 25% (pg 12) for fiscal year 2017, as did removals of African immigrants. ICE also increased overall arrests by over 40 percent, and nearly doubled the number of MS-13 arrests, an ICE spokeswoman told Quartz.

So, while fewer people tried to cross the border in the last fiscal year, the agency is arresting and deporting more people. More than 90% of ICE arrests were related to "public safety and national security threats, illegal reentrants, and fugitives," the spokeswoman said.

Not everyone at ICE and DHS feels good about the way things are going. said. Morale at ICE, typically among the lowest at federal agencies, rose to its highest level since 2010, she added.

But not everyone at ICE and DHS feels good about the way things are going. Several HSI agents, who deal with ICE's original mission of terrorism, weapons, and crime syndicates, complain that the agency's high-profile anti-immigration work has made their jobs impossible. In a letter published by the Texas Observer last week, the agents said that ICE's reputation has become so toxic that local law enforcement won't cooperate with them.

State and local law officials "are frustrated, people in ICE are frustrated, and other federal agencies are frustrated because of the obsession with immigration enforcement, and particularly the expansion of efforts targeting non-criminal unauthorized immigrants" said John Cohen, a former acting undersecretary of DHS who has over 30 years experience in law enforcement and homeland security.

Officials also say they are upset about the family separation policy, but point to DHS secretary Kirstjen Nielsen as the cause of the mess. "She owns the decision," one former DHS official said. The administration is struggling to reunite children with their parents because no one is taking charge, they say.

Even the ICE union registered its disapproval in a February letter to the White House, saying it could no

longer support the president on immigration because he was repeating the mistakes of the past. "They're still playing by the same failed playbook. They can't change and they can't innovate." Crane told Quartz.

Even the ICE union registered its disapproval in a letter to the White House. "They said they would work with boots on the ground people in the field and they didn't do it," he said. The union is against the child separation policy, he added.

Ultimately what the US should be doing to fix the country's massive immigration problem, say Crane, several other immigration officials, and some influential US senators, is to curtail demand. Put more pressure on US businesses not to hire illegal labor, and force employers to use electronic document systems like E-Verify, Crane says. "Our government has sold out to big business and the Chamber of Commerce," Crane said. "We keep doing it the dirty way, because big business wants that dirty labor," he said, referring to people working without work visas. Immigration chaos is politically useful to both sides

The debate over ICE's existence is in part a proxy for a deeper debate, one that America's more established immigrants have always grappled with, when faced with newcomers: "Who else gets to be an American?" As the country gears up for midterm elections in November that could determine how history remembers the Trump presidency, the agency's name has become a rallying cry for both the left and the right.

"We are going to be introducing a wave of change," Alexandria Ocasio-Cortez, who at 28 is set to become the youngest-ever member of the US Congress, promised a cheering crowd at a billiard hall in the Bronx during a celebration of her surprise election in June. For Ocasio-Cortez and a growing number of Democrats, a key part of that wave is abolishing ICE.

Boston City Council member Ayanna Pressley, who is running for a Massachusetts Congressional seat in November, suggests defunding ICE entirely, and putting anti-terror functions somewhere else. Kirsten Gillibrand, the New York senator, recently joined the call, saying "We need to start over, separating the criminal justice and immigration roles." And Ron Wyden, the senator from Oregon, told Quartz "I don't think ICE is focusing on the right people, and I think a fundamental overhaul is in order here."

Meanwhile, the White House is attacking senators who criticize the agency on social media, and the Republican Party has inaccurately called it the main defender of US borders (that's actually Customs and Border Protection). It's part of the Trump White House's deliberate strategy to "pour gasoline" on hot-button US issues before November to rally his base to vote—all but

guaranteeing, however, that the US's long-standing immigration problems don't get fixed any time soon.

Stepping into this mess is Ronald Vitiello, a career border patrol agent who was quietly named ICE's new director on June 30. His appointment could bring some needed calm, long-time immigration experts across the political spectrum say—but using the agency to inflame voters ahead of the November midterms may be too politically valuable right now for anyone in Washington to let him do it.

Correction (July 8): This article originally stated the INS was part of the Department of Labor; it worked closely with the Department of Labor but was part of the Department of Justice

DHS NEWS

Clash Looms Over ICE Funding

By Mike Lillis And Rafael Bernal

[The Hill](#), July 8, 2018

The spotlight on U.S. Immigration and Customs Enforcement (ICE) is about to become brighter as Congress weighs the Trump administration's request for a huge spending boost even as a growing number of Democrats want the agency abolished.

The administration is pressing Congress for \$8.3 billion in discretionary funding for ICE in fiscal year 2019 — a \$967 million increase over this year's budget. Democrats are already balking at the figure out of early concern that Republicans will designate the money for bolstering enforcement efforts, including an acceleration of deportations.

The Democratic resistance is significant because the Republicans will need support from the other side of the aisle to approve any new spending bills, as the GOP remains divided over fiscal issues.

"These allocations continue to prioritize President Trump's cruel immigration policies," Rep. Nita Lowey (D-N.Y.), the ranking member of the House Appropriations Committee, warned last month.

The debate over ICE enforcement, a controversial issue even under former President Obama, has only intensified under Trump, who made a get-tough approach on immigration central to his campaign message in 2016.

The subsequent backlash has arrived in the form of Democratic calls to abolish ICE, a once-fringe movement that's gained steam in recent weeks following the shocking primary defeat of Rep. Joseph Crowley (D-N.Y.) to Alexandria Ocasio-Cortez, a 28-year-old activist who made the elimination of ICE — and the reallocation of its duties — a central component of her campaign.

The top Democratic leaders – Sen. Charles Schumer (N.Y.) and Nancy Pelosi (D-Calif.) – have both pushed back against the “abolish ICE” message, arguing that reforming the agency is the preferable route. But Ocasio-Cortez has been joined by a handful of prominent liberal Democrats, including several 2020 presidential contenders hoping to remain on the popular side of the party’s liberal base. That list of supporters includes New York Mayor Bill de Blasio and Sens. Kirsten Gillibrand (N.Y.) and Cory Booker (N.J.).

Republicans have wasted no time attacking Democrats with accusations that eliminating ICE would shield undocumented immigrants, including some violent criminals, at the expense of public safety.

Speaking to ICE employees on Friday in Washington, Vice President Mike Pence praised the group as “incredible patriots,” seeking to carve a clear distinction between the parties when it comes to the preserving the future of ICE and boosting its resources.

“The truth is that calls to abolish ICE are not just outrageous, they’re irresponsible,” Pence said. “In this White House, let me be clear: We are with you 100 percent.”

The emotional back-and-forth sets the stage for a fiesty debate over the future and funding of ICE when appropriators tackle the task later in the summer, just months before the high stakes November midterm elections.

Rep. Henry Cuellar (Texas), the second-ranking Democrat on the Homeland Appropriations Subcommittee, said the ICE funding debate will be split into four categories: increased funding for ICE agents; more funding for detention beds; funding for construction and infrastructure; and funding for alternatives to detention.

Cuellar said bipartisan support should be relatively easy to find for construction and alternatives to detention — for instance, ankle bracelets for people awaiting immigration hearings.

“But the two fights are detention and ICE agents,” said Cuellar.

Democrats generally oppose the expansion of detention centers and the hiring of more agents since they’re seen as tools that Trump can use to further enforce his hardline immigration policy.

Cuellar said he’s advocating for the use of ankle bracelets both as a way to keep immigrants out of detention and as a fiscally sound measure.

ICE was created in 2003 by piecing together attributions from several law enforcement agencies in the homeland security restructuring that took place after the 9/11 terrorist attacks.

The agency has two main component branches: Enforcement and Removal Operations (ERO) and Homeland Security Investigations (HSI). ERO’s main task is to find and remove foreign citizens who are deemed a danger to the United States, or who are in violation of their visas.

ERO also houses and transports foreigners who are in immigration detention. It’s seen a big bump in funding in recent years, from \$2.8 billion in fiscal 2014 to \$4.1 billion in 2018. In next year’s budget, the administration has requested another big hike, to \$5.1 billion.

Minors in detention are an exception to that, as they are housed by the Office of Refugee Resettlement (ORR) that’s part of the Department of Health and Human Services (HHS).

HSI is ICE’s investigative unit, and it deals with a wide range of cross-border criminal enterprises, including financial crimes, money laundering and bulk-cash smuggling; commercial fraud and intellectual property theft; cybercrimes; human rights violations; human smuggling and trafficking; immigration, document and benefit fraud; narcotics and weapons smuggling/trafficking; transnational gang activity; export enforcement; and international art and antiquity theft.

“We can’t say, ‘Eliminate all that,’ ” said Cuellar, who called the push to abolish ICE “dangerously misguided.”

“I’m assuming [Democrats] understand there’s two parts of ICE – the one that brings the emotion, of course, is the ERO,” said Cuellar.

“To consider reorganization, I think it’s something we need to look at,” he added. “But timing right now, because ICE has become this lightning rod for all this anger on immigration against the president, it would make it very hard to do that at this moment.”

Cuellar cast doubt on the Trump administration’s sincerity in its call to support ICE.

“Of course, the president selects which law enforcement he supports,” Cuellar said. “He’s going after the FBI because they’re investigating him; he’s not going after ICE because they’re not investigating him.”

William Bryan To Be Nominated Full-Time DHS S&T Undersecretary

By Nichols Martin

[ExecutiveGov](#), July 6, 2018

President Donald Trump plans to nominate William Bryan, acting undersecretary for science and technology at the

Department of Homeland Security since May 2017, to lead the S&T directorate on a full-time basis.

In his current role, Bryan oversees leads research, development, innovation, testing and evaluation efforts of department components and first responders in the U.S., the White House said Thursday.

He previously led ValueBridge International's Reston, Va.-based energy group as president and held various leadership positions at the departments of Energy and Defense.

Bryan also served at the U.S. Army for 17 years and at the Virginia National Guard for three years.

MeriTALK News Briefs: New DHS S&T Head Nominated, DEA IT Contract, TechGirls Exchange Program

[MeriTALK](#), July 6, 2018

Bryan Nominated to Head DHS S&T

The White House on July 5 announced President Trump's intention to nominate William Bryan to be Under Secretary for Science and Technology at the Department of Homeland Security. He has been acting in that role since May 2017, with the official title of "senior official performing the duties" of Under Secretary for S&T. He was president of ValueBridge International's Energy Group, and before that was a deputy assistant Secretary for infrastructure security and energy restoration at the Department of Energy, and director for critical infrastructure protection in the Defense Department's Office of Under Secretary of Defense for Policy.

ASRC Federal Lands \$202M DEA Contract

ASRC Federal, based in Greenbelt, Md., won a potential five-year, \$202 million recompeted contract with the Drug Enforcement Agency (DEA). Under the new contract ASRC Federal will continue to provide IT support and services to the DEA's diversion control division. The National Forensic Laboratory Information Support Services begins with a one-year base period and then offers four one-year options, according to ASRC Federal. Under the contract ASRC will provide call center support operations, IT infrastructure support, software development and scientific support for the closed loop system of controlled substance distribution.

State Department to Host TechGirls STEM Program

The State Department is holding its TechGirls exchange program from July 8 to August 1, inviting twenty-eight teenage girls from Algeria, Egypt, Jordan, Lebanon, Morocco, Palestinian Territories, and Tunisia to develop technical skills for potential careers in science, technology, engineering, and math (STEM). The program includes an eight-day, interactive Java coding camp hosted and led by the Department of Computer Science Training at Virginia Tech, and activities in

Washington, D.C., including leadership clinics, action planning workshops, community service opportunities, and a day of job shadowing with top tech companies in the area. "The TechGirls initiative empowers girls around the world to become leaders in the STEM fields," the State Department said in a press release today. "TechGirls exchange alumnae, now totaling 158, have utilized the program's lessons to train more than 3,100 peers in their home countries. The achievements of these alumnae and the talent of the incoming class contribute to the U.S. global commitment to grow the global economy and advance the rights of women and girls around the world, as well as STEM education."

Bryan Nominated To Lead DHS S&T Directorate – FCW

By Mark Rockwell

[Federal Computer Week](#), July 6, 2018

William Bryan, the nominee to head the Science and Technology Directorate at the Department of Homeland Security, testifies before a House committee in December 2017.

The White House, on July 6, nominated William Bryan to become head of the Department of Homeland Security's Science and Technology directorate.

Bryan has been senior official performing the duties of the undersecretary for DHS S&T since taking the job in May, 2017. He replaced the Obama administration's S&T appointee, Reginald Brothers, who left in January 2017.

S&T researches, develops and tests new ideas and technologies for the agency's operational components, including scanning systems to inspect people and material for weapons and contraband at airports and seaports. S&T also supports the development of technology for first responders.

Bryan has deep experience in critical infrastructure. He previously served as deputy assistant secretary for infrastructure security and energy restoration in the Department of Energy's Office of Electricity Delivery and Energy Reliability. Before that he was director of critical infrastructure protection in the office of the undersecretary of defense for policy at the Pentagon.

Bryan was also president of Reston, Va.-based ValueBridge International's Energy Group. ValueBridge describes itself as a "global advisory, professional services, and capital investment firm" that serves multiple vertical markets, including energy and agriculture. Technology solutions are among its portfolio.

BORDER WALL

Immigration Reform Failure Risks GOP Support For Wall Funding, Congressman Says

By Kate Irby

[McClatchy](#), July 6, 2018

Failed Republican efforts on immigration reform could jeopardize support within the party for President Donald Trump's wall funding — and Trump has threatened to shut down the government if he doesn't get it.

Republicans who pushed a bill that would have granted a pathway to citizenship for Dreamers along with \$25 billion in border security gave a range of answers when McClatchy asked if they would still support funding the wall without action for Dreamers. Their bill failed last week by a large margin.

But one leader in that effort, California Republican Rep. Jeff Denham, who took a 30-second pause before answering the question, said it does put his vote at risk.

"I've been very clear that I want a permanent fix for Dreamers that has to be a part of any solution," Denham told McClatchy, referring to people who came into the country illegally as children with their parents.

"There are a large number of us that feel very strongly that we negotiated in good faith to find a solution on the border, as well as a solution for Dreamers," he added. "And I think both the president as well as the majority need to prove how they can find a fix."

Congress has to approve the next budget in September to avoid a government shutdown. After approving the last budget, which included \$1.6 billion for border security instead of the \$25 billion Trump said he wanted, Trump railed against the budget being a bad deal for Republicans, and said if the wall funding was not in the next budget he wouldn't sign it.

White House staff have since walked back that statement, though Trump hasn't personally, so it remains unclear if he would be willing to trigger a shutdown.

Democrats are unlikely to support a budget with such funding.

"The president's \$25 billion wall request is immoral and unwise, and has bipartisan opposition," Drew Hammill, spokesman for Minority Leader Nancy Pelosi, D-California, told McClatchy Friday.

If every House Democrat voted against the budget, 22 Republicans would have to join them to defeat it. There were 25 Republicans who supported an effort to force a vote on a pathway to citizenship for Dreamers, but many of those members are unwilling to say whether they would risk another politically unpopular government

shutdown by denying wall funding — two months before the mid-term elections.

All of the members who led the effort on behalf of Dreamers are at risk in November, and many have large Latino populations in their districts. Some of their opponents have also targeted them for their inability to deliver on immigration reform.

Rep. Mike Coffman, R-Colorado, said he and others who are pushing for a path to citizenship for Dreamers were still considering options, but implied there could be an effort to block it, depending on how that group decide to move forward.

"We need to get together — we haven't decided on strategy, so I don't know what we're going to do next," Coffman said.

Rep. Mario Diaz-Balart, R-Florida, would not commit to supporting or opposing wall funding, but said he wants to avoid a shutdown at all costs. He was one of the first people to sign on to the Republican effort on behalf of Dreamers.

"We have to get the budget done, and to me shutting down is not a viable option," Diaz-Balart said. "I don't want to go there, because we need to get the appropriations bills done. It's our Constitutional duty, but that's all subject to negotiation."

Rep. Jeff Denham denied entry to ICE facility in Pleasant Hill, California, a San Francisco suburb. A guard said employees inside had been instructed to not answer the door or speak to Denham.

The offices of Reps. Carlos Curbelo, R-Florida, and David Valadao, R-California, gave vague answers, saying they would continue to try to find a pathway to citizenship for Dreamers but making no comment on support or opposition of wall funding by itself.

"The congressman will continue to look for all avenues to provide a permanent solution for Dreamers while modernizing our visa system and securing our border," said Joanna Rodriguez, spokeswoman for Curbelo.

Anna Vetter, a spokeswoman for Valadao, said they weren't going to comment on hypothetical situations.

A Republican Candidate For Congress In Tennessee Literally Builds A Wall In His Ad

By John Wagner

[Washington Post](#), July 6, 2018

Plenty of Republican congressional candidates have pledged to back President Trump's efforts to build a wall along the U.S.-Mexico border. But Jason Emert, a candidate in Tennessee, goes further in a new television

ad: It shows him literally building a wall in what appears to be his yard.

In the 30-second spot, Emert, who bills himself as a “Pro-Trump, Pro-Wall, and Conservative Republican” and is competing in next month’s GOP primary in the 2nd Congressional District, is seen working on the wall when he is interrupted by his wife, Lauren.

“Hey, Jason, are you really going to help President Trump build the wall?” she asks.

“You bet I am,” says Emert, who is trying to succeed retiring Rep. John J. Duncan Jr. (R-Tenn.).

The ad also plays on the unpopularity there of former Tennessee Volunteers football coach Butch Jones, who was fired during a disappointing season last year.

“Unlike Butch Jones, when I say I’m going to do something, I actually mean it,” Emert says.

The trolling of Jones doesn’t end there. During his tenure as the university’s football coach, the folksy Jones talked about building the program “brick by brick.” While at Tennessee, Jones also appeared in a commercial for Farm Bureau Insurance, in which he was shown building a brick mailbox.

The Emert ad mimics the details of that ad in numerous ways, including the orange polo shirts that both men wear.

Property Owners Along Border Get Notices From Federal Government About ‘Tactical Infrastructure’

By Associated Press

[Washington Times](#), July 8, 2018

More property owners along the U.S.-Mexico border in South Texas say they’ve received notices from the federal government asking to review their land, which could be used for border wall construction.

KENS-TV reports residents in the town of Escobares received letters from the Army Corps of Engineers and U.S. Customs and Border Protection a few weeks ago to get their consent to survey their land.

Rio Grande City School District board president Daniel Garcia says the district got a letter in May about district property that’s being considered for “tactical infrastructure, such as a border wall.”

Texas Congressman Henry Cuellar, who represents the area, said federal officials told him there have been over 200 of these requests made in Starr and Hidalgo counties.

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BORDER SECURITY

ICE Says It Seized \$43M Worth Of Counterfeit Items In Laredo, Texas

By Matt Richardson

[Fox News](#), July 6, 2018

More than 181,000 counterfeit items worth some \$43 million were seized last month by Immigration and Customs Enforcement (ICE) in Laredo, Texas, the agency said in a Friday statement.

The items, which ICE finished tallying on Tuesday, constituted the biggest counterfeit seizure for ICE’s Homeland Security Investigation (HSI) in the area.

Agents reportedly watched for days in mid-June as boxes with items suspected to be fake were moved. When they seized the items, the group reportedly found that shipping labels on the boxes were for fake addresses.

Counterfeited brands included such prominent names as Adidas and Apple, Under Armour and Yves St. Laurent. In all, 795 boxes held 181,615 items.

The criminal group – it was based in Laredo – that coordinated the merchandise deliveries was the same one identified in a seizure in May, HSI stated. That seizure totaled \$16.1 million in “trademark-infringed merchandise which was destined for illegal export to Mexico,” HSI claimed.

With the May and June seizures added together, \$59 million in fake goods was seized, including 260,000 pieces of jewelry, cosmetics, electronics and clothing garments.

“Criminal elements use every and any opportunity to sell substandard and counterfeit goods to the American public,” Acting Deputy Special Agent in Charge Jesus Adrian Flores, HSI Laredo, said in the statement. “HSI special agents are committed to collaborating with industry representatives and law enforcement agencies to crackdown on counterfeiting that significantly hurts local economies and funnels money into criminal organizations involved in additional illicit activities.”

The announcement of the seizures comes as the Trump administration forcefully defends ICE in the face of Democratic calls to “abolish” the agency.

“Under President Donald Trump, we will never abolish ICE,” Vice President Mike Pence said at ICE headquarters on Friday. “As the president said, we will never fail to applaud and expand and empower this agency with the resources you deserve.”

Sens. Elizabeth Warren, D-Mass., Bernie Sanders, I-Vt., and Kirsten Gillibrand, D-N.Y., among other liberal lawmakers, have backed the call to abolish the agency, a reaction to the administration’s “zero-tolerance” policy

on illegal immigrants intercepted at the border. The policy has led to the separation of immigrant families at the southern border.

As for the June seizure, no criminal charges have yet to be filed as the investigation continues.

Fox News' Adam Shaw contributed to this report.

Feds Seize 60,000 Mermaid Dolls At International Falls Port

By Rochelle Olson

[Minneapolis Star Tribune](#), July 7, 2018

Federal agents have seized more than 60,000 counterfeit mermaid dolls destined for the Koochiching County port city of Ranier.

The U.S. Customs and Border Protection Office of Field Operations in International Falls office reported the seizure of the dolls in late June. Agents discovered the dolls, worth an estimated \$601,198 retail, in a rail container in May. One doll featured on the patrol's website is called "Mermaid Sirène."

The dolls contained counterfeit copyright markings, a violation of intellectual property rights.

"The enforcement of trade laws at U.S. ports of entry remains a high priority for us," said International Falls port director Anthony Jackson. "Counterfeiting adversely affects the ability of lawful copyright holders to profit from their original ideas. Counterfeiting also harms consumers because manufacturers of forged products have little motivation to use safe, high-quality materials."

To help fight counterfeiters, trademark and copyright holders can help import specialists by registering online with the field office, a news release said.

The office didn't indicate whether arrests were made in the incident, deferring the question to the Department of Homeland Security.

Ranier is on Rainy Lake where the Rainy River heads west to Lake of the Woods. The bike trail from International Falls to Voyageurs National Park winds through Ranier.

AVIATION SECURITY

TSA Is Recruiting Security Officers In A Tight Labor Market

[CNBC](#), July 6, 2018

As the summer travel season kicks into high gear, the Transportation Security Administration is looking to add thousands of workers to its ranks.

Tasked with keeping the nation's skies safe, the TSA is recruiting transportation security officers, canine handlers and other positions, as passenger lines are at

all-time historic highs. The agency is looking for motivated, mission-driven applicants in an increasingly tight labor market.

New security officer trainees such as Valeria Garcia are shown the importance of the mission at a two-week, mandatory training academy in Glynco, Georgia. Garcia, 22, participated in a curriculum that focused on customer service and passenger screenings and even detailed the impact of explosives. Trainees learn how to use X-ray machines, how to follow agency protocol, and how to interact with passengers, knowing that airports can be stressful environments for travelers.

"I actually think people believe we're taught to not care ... to treat them wrong, and it's not like that," Garcia said. "We actually learn how to treat passengers with a lot of care and respect and try to connect with them. Even if it's just for two seconds, just to make the experience a little less frightful for them."

After completing training, Garcia returned to her local airport in San Juan, Puerto Rico, and trained for an additional 60 hours with an on-site coach, taking back-lessons from the academy. For Garcia, like many officers, the threat of another Sept. 11-type attack is a major motivator to be diligent on the job.

"To be able to work at the TSA, I feel like I am giving back to avoid something like that from ever happening again," she said.

The hiring process typically takes about two months. Starting pay for security officers begins at around \$35,000 a year, varying on role and location. But like most employers, the TSA isn't immune to a strong economy. When demand is at a peak, finding the right talent can be a challenge even with a diverse applicant pool.

"With the uptick in the U.S. economy and increases in wages and compensation packages, like most employers we have steeper competition. We work hard to sell the benefits of federal employment to try to attract folks to help with America's travel public," said Keith Malley, TSA director for recruitment and field operations. "The TSA position is hard; we ask a lot out of those officers... we have to work aggressively so people know what they are getting into. But it is very rewarding for them. They are working to support very important mission."

Malley says the transportation security officer position is a great entry into federal employment for those who are service- and mission-oriented. Efren Arocho felt that call to service and has been an instructor with the agency for nearly six years. He's now stationed at the training academy in Georgia, preparing the TSA's next generation of talent. His goal is to drive home the

importance of accuracy and diligence and ensure that everyone is treated with respect.

"Always have professionalism," he said. "It doesn't matter background, culture — we're all human beings, and that's all that matters."

A native New Yorker, Arocho remembers Sept. 11 well and takes his work at the TSA seriously to help prevent another attack.

"It just takes one mistake, so we've always got to stay on top of our game," he said. "Thankfully, because of the academy and all of the training we're getting at the airports, working together as a team, we have been successful and we continue to be successful."

IMMIGRATION POLICY

Trump Administration Seeks More Time To Reunite Families

By Elliot Spagat

[Associated Press](#), July 6, 2018

SAN DIEGO (AP) — The Trump administration asked a judge Friday for more time to reunite families who were separated at the border under its "zero-tolerance" policy to prosecute every person who enters the country illegally.

Hours before a hearing in San Diego, the Justice Department filed papers seeking an extension of the deadline, which is July 10 for all parents with children under 5 and July 26 to reunite everyone else.

The administration says federal law requires it to ensure that children are safe and that requires more time. Administration officials also say that they won't be able to confirm a child's parentage by the deadline if DNA testing is inconclusive. They will need more time to collect DNA samples or other evidence from parents who have been released from government custody.

U.S. District Judge Dana Sabraw, who was appointed by President George W. Bush, set the deadline last week, writing that the "situation has reached a crisis level" and that the "chaotic circumstances" were of the government's own making. He scheduled Friday's hearing for an update on compliance with his order.

More than 2,000 children were separated from their parents after Attorney General Jeff Sessions announced in May that the zero tolerance was in full effect, even if it meant splitting families. While parents were criminally prosecuted, children were placed in custody of the Health and Human Services Department. Trump reversed course on June 20 amid an international outcry, saying families should remain together.

On Thursday, Health and Human Services Secretary Alex Azar said less than 3,000 children are believed to have been separated, but that includes kids who may have lost parents along the journey, not just parents who were detained at the border. None had been transferred to Immigration and Customs Enforcement to be reunited with their parents.

In the court papers, the government said it has identified 101 children under 5 years old who were separated and is the midst of identifying older children. About 40 parents of children in the under-5 age group are in Homeland Security custody and another nine are in the custody of the U.S. Marshals Service.

Jonathan White, a Health and Human Services official, filed a declaration with the court that gives what is perhaps the most detailed account yet of what the government is doing and the hurdles it faces. Its database has some information about the children's parents but wasn't designed to reunify families under the court's deadline.

The department has manually reviewed the cases of all 11,800 children in its custody by working nights and weekends, White said. The results of that review are being validated.

DNA cheek swab tests on parent and child take nearly a week to complete, said White, who called the risk of placing children with adults who aren't their parents "a real and significant child welfare concern."

"The Government does not wish to unnecessarily delay reunifications or burden class members," the Justice Department filing reads. "At the same time, however, the Government has a strong interest in ensuring that any release of a child from Government custody occurs in a manner that ensures the safety of that child."

Sabraw's order in the class-action lawsuit filed by the American Civil Liberties Union applies to all families who have been separated and includes a halt to any future separations.

The ACLU sued in March on behalf of a Congolese woman who was separated from her daughter for five months after seeking asylum at a San Diego border crossing and a Brazilian asylum-seeker who has been separated from her son since an arrest for illegal entry in August near the Texas-New Mexico border.

The Congolese woman, identified in court documents as Mrs. L, claimed asylum on Nov. 1, 2017, and four days later was separated from her daughter. The girl, then 6, was sent to a Chicago shelter contracted by Health and Human Services, while the mother was held at a San Diego immigration detention facility until March 6.

The administration says the Congolese woman had no documents and was unable to prove she was the girl's mother when she claimed asylum. U.S. authorities confirmed through DNA testing on March 12 that the woman was the girl's mother and the two were reunited.

The Brazilian woman, identified as Mrs. C, served nearly a month in jail after her Aug. 26, 2017, arrest for illegal entry near Santa Teresa, New Mexico, and then spent about six months in immigration detention. Her son was also sent to a Chicago shelter the two recently reunited.

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Federal Judge Declines To Ease Deadlines For Government To Reunite Separated Families

By Kristina Davis

[Los Angeles Times](#), July 7, 2018

The court-imposed deadlines for the government to reunite families separated at the border will remain intact, although a federal judge acknowledged that they may need to be relaxed in some cases, including for the 19 parents who were deported without their toddler children.

More than a week into the massive effort to try to reconnect some 3,000 children with their parents, lawyers for the Department of Justice said Friday that it has dedicated "immense" resources to try to comply with the court's June 26 order.

But the process that the U.S. Department of Health and Human Services has put into place to match up family members will take some time — perhaps longer than the deadline permits — if it is to comply with existing policies and procedures designed to protect children from human trafficking under law, the Justice Department argued.

The order gives the government until Tuesday to reunify children younger than 5 with their parents, and until July 26 for older children.

As many as 3,000 children remain separated from their parents, according to new estimates by HHS.

In a status conference Friday in San Diego, the Justice Department asked for clarification on how to proceed so it can either meet the deadlines or be excused from them.

U.S. District Judge Dana Sabraw was reluctant to extend the deadlines, instead urging the government to streamline processes where appropriate, "but of course never losing sight of the safety of the children," he said.

The government also asked the judge to clarify whether the order applied to parents who have already been deported; the judge confirmed it did.

The most pressing work involves reunifying the youngest children with their parents, and Sabraw encouraged the government to make every effort possible to meet the Tuesday deadline while acknowledging that 100% compliance may be difficult, if not impossible, in some circumstances.

Justice Department attorney Sarah Fabian said so far, 86 parents have been matched to 83 children younger than 5. Of those parents, 46 are in immigration custody, 19 were released from immigration custody and 19 were removed from the U.S. without their children. Nine are believed to be in the custody of the U.S. Marshals Service.

Sixteen children believed to have been separated at the border have not yet been matched to parents.

Additionally, a background check on the 86 parents has revealed criminal histories of kidnapping/rape or child cruelty against two that make them unfit for reunification, Fabian said.

Lee Gelernt, an attorney for the American Civil Liberties Union, said advocacy groups are standing by to help locate missing parents to meet the deadline, even those who were removed and are now living in other countries.

"We will get as many lawyers as necessary to track those families down," he promised.

The judge ordered the government to provide the ACLU with a list of names of parents of the youngest children by 5 p.m. Saturday so the renewed search effort can begin.

A declaration by an Immigration and Customs Enforcement official filed Friday said the young children who have been identified for reunification are detained in 23 different facilities across 13 states. ICE has so far flown 23 parents on commercial airlines to detention facilities closer to where their children are being housed to facilitate reunions.

Going forward, the Justice Department said that it intends to detain families together in immigration custody — a solution it argued complies with both Sabraw's order as well as the Flores agreement, a court settlement that limits the amount of time children can be held in immigration detention.

When asked for clarification on this point, Sabraw agreed that nothing in his order takes away the government's discretion to either detain or release parents in immigration custody; keeping families together is the key.

As to the first deadline under the court order — that all detained parents should be in communication

with their separated children by Friday — the government said it has complied. To aid in the communications, the Justice Department said tablets have been distributed to detention centers for video chats.

Judge Orders U.S. To Provide List Of Separated Migrant Children

By Marty Graham, Susan Heavey, Yeganeh Torbati, And Tom Hals

[Reuters](#), July 6, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

U.S. Seeking To Delay Reuniting Immigrant Kids With Parents

By Patricia Hurtado, Sydney Maki

[Bloomberg News](#), July 6, 2018

The U.S. Justice Department told a federal judge that the government needs more time to "safely" reunite almost 3,000 kids with their parents.

U.S. District Judge Dana Sabraw in San Diego had ordered the U.S. to return all children under age five to their parents by July 10 and all other minors by July 26.

"The government does not wish to unnecessarily delay reunification," Justice Department lawyers told Sabraw. "At the same time, however, the government has a strong interest in ensuring that any release of a child from government custody occurs in a manner that ensures the safety of a child."

U.S. officials on Thursday said that while they believe they're in compliance with "all aspects" of the order, they want the deadlines modified because government agencies — including the Department of Health and Human Services — are following "time-consuming" procedures like weekslong evaluations of homes where the children would be placed.

A telephone conference in the case is scheduled for later Friday.

The government filing appears to contradict a statement by Health and Human Services Secretary Alex Azar, who said Thursday the U.S. would return immigrant children under five by July 10 to comply with the court order. Azar said fewer than 3,000 children were separated, and fewer than 100 are under the age of five. DHS has located parents of the youngest children and moved them to detention centers closer to their kids so they can be reunited quickly after the refugee agency releases them, he said.

Before the U.S. reunites a child with a parent, a painstaking process called a "safety and suitability

analysis" is conducted to determine whether a parent is fit or doesn't pose a danger to the child, Jonathan White, deputy director for children's programs at the department's Office of Refugee Resettlement, said in a court filing. Releasing a child without a careful review could "expose him or her to trafficking or abuse," he said.

U.S. Says It'll Return Immigrant Children Under 5 by Next Week

Children in custody and their parents are also undergoing DNA cheek swabs, which will take about a week to confirm a match, the U.S. said. While Health and Human Services vowed to only use the DNA results for verifying parentage, they are sending the cheek swabs to a third-party laboratory service provider to complete the testing. Ordinarily, the Office of Refugee Resettlement only uses DNA testing as a "last resort," White said.

Health and Human Services has deployed 115 workers to "engage directly" with children in the custody of the Department of Homeland Security. The agency also has about 100 "reunification case managers" and 40 additional staff members working to reunite kids, according to court filings.

The case is Ms. L. et al v. U.S. Immigration and Customs Enforcement et al, 18-cv-428, U.S. District Court, Southern District of California (San Diego).

— With assistance by Alexa N Green

(

Updates with statement of HHS Secretary Azar from Thursday.

)

Trump Administration Seeks To Extend Deadline For Reuniting Some Migrant Families Split At Border

By Maria Sacchetti

[Washington Post](#), July 6, 2018

The Trump administration will not fully meet a federal judge's deadline to reunite all migrant families separated at the U.S.-Mexico border, and instead is seeking more time in instances where officials are struggling to match children to parents, according to court records filed late Thursday.

The government's request, hours before a scheduled hearing on the issue Friday, marks an abrupt departure from comments made earlier Thursday from President Trump's secretary for Health and Human Services Secretary Alex Azar, whose agency cares for the children in shelters. He had said the Trump administration "will comply" with the deadlines, though he criticized the judge's timetable as "extreme."

[HHS secretary says Trump administration rushing to reunite migrant families separated at the border]

Azar said Thursday morning that an army of government workers had been dispatched to review files and conduct DNA testing to match parents with their children. Another top official leading the effort said in the court filing that, although officials were working nights and over the weekend, they may be unable to quickly match some families because the tests were inconclusive, or the parents were released from custody and have not yet been found.

"HHS has worked diligently to expedite these processes to enable the Government to comply with the timelines in the Court's order," the Justice Department said in its filing. "HHS anticipates, however, in some instances it will not be able to complete the additional processes within the timelines the Court prescribed, particularly with regard to class members who are already not in Government custody, (e.g., because they have previously been paroled or released)."

A Justice Department spokesman did not immediately respond to a request for comment.

In a June 26 ruling, U.S. District Judge Dana M. Sabraw in San Diego ordered federal officials to bring the families back together within 30 days. He ordered them to reunite children under age 5 — there are 101, according to the most recent court records — with their parents by Tuesday.

The court records offer a glimpse of the government's progress so far.

Officials said about 40 parents of the 101 children under age 5 are in federal immigration custody, while another nine are in U.S. Marshal's custody, apparently for criminal proceedings.

Officials are attempting to match the remaining parents — they did not say how many — with their children, said Jonathan White, a top federal official working on the reunification effort with HHS and other agencies.

The government also does not know precisely how many minors age 5 through 18 have been separated from their parents, a process officials called "ongoing," according to the court documents. Azar had said Thursday that "under 3,000" children had been separated from their parents.

Another issue for the Trump administration is that Sabraw's ruling also applies to families split up before its "zero tolerance" policy was implemented in May. The policy, which vowed to bring criminal charges against all migrants crossing the border illegally, dramatically increased separations and the administration did not keep close track of the figures.

U.S. Border Patrol agents dispatched parents to criminal courts and then to federal immigration detention, while children were sent to HHS shelters.

In his ruling, Sabraw called the separations "chaotic." Advocates said the practice has traumatized families. A Honduran man killed himself while in U.S. custody after his son was taken away.

Sabraw's ruling emerged from a class-action lawsuit brought by the American Civil Liberties Union on behalf of parents separated from their children.

The president said he took the drastic measure to secure the border. Apprehensions slumped in June, as they typically do in the hot summer months, though at more than 42,000, the monthly tally is nearly double what it was in June 2017.

U.S. Using DNA Testing In Effort To Reunite Families It Separated

By Deena Beasley

[Reuters](#), July 7, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Trump Administration Seeks More Time To Reunite Families Separated At Border

Government has until Tuesday to reunite children younger than 5 years old with their parents

By Sadie Gurman And Arian Campo-Flores

[Wall Street Journal](#), July 6, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Trump Lawyers Say Gov Can't Locate Parents Of 38 Migrant Children

By Aris Folley

[The Hill](#), July 6, 2018

Government lawyers said Friday that officials are unable to locate the parents of 38 migrant children separated under the administration's controversial "zero tolerance" border policy, as officials push to comply with a judge's order that the families be reunited.

Lawyers said the Department of Health and Human Services (HHS) is only able to reunify about half of the around 100 children under the age of 5 that the judge ordered be reunited with their parents by July 10, NBC News reported.

Among those that the administration said it cannot track, government lawyers said the parents of 19 children have been released from custody in the U.S. but their whereabouts are unknown, while the parents of another 19 children have been deported.

"The way [a family separation] is put in the system is not in some aggregable form, so we can't just run it all," Sarah Fabian, a Justice Department attorney representing the government, said during a status hearing before U.S. District Judge Dana Sabraw in San Diego, NBC reported.

The Department of Justice on Friday asked for more time to reunite the thousands of families who were separated at the U.S.-Mexico border.

Attorneys for the government say both the court-ordered July 10 deadline to return kids under the age of 5 to their parents and the July 26 deadline to return all other kids do not take into account the time needed to verify and vet each parent.

Trump Admin Lost Track Of Parents Of 38 Young Migrant Children

By Julia Ainsley

[NBC News](#), July 6, 2018

WASHINGTON — Government lawyers said Friday that they cannot locate the parents of 38 migrant children under the age of 5, as a federal judge indicated he is open to extending the deadline for reuniting nearly 3,000 children separated from their mothers and fathers while crossing the US-Mexico border.

In a status hearing with U.S. District Judge Dana Sabraw of the Southern District of California, who ordered the reunification, government lawyers said the Health and Human Services Department would only be able to reunify about half of approximately 100 children under the age of 5 by the court-ordered deadline of July 10.

For 19 children, their parents have been released from custody into the U.S. and their whereabouts are unknown. The parents of another 19 children have been deported.

"The way [a family separation] is put in the system is not in some aggregable form, so we can't just run it all," said Sarah Fabian, the Justice Department attorney representing the government before Sabraw.

Sabraw said he would agree to delay the deadline for reunifying the youngest children if the government could provide a master list of all children and the status of their parents by 10 a.m. Pacific time on Monday. A government lawyer said she could not attend a status conference over the weekend because she had out-of-town dog-sitting responsibilities.

In a court filing, attorneys for the U.S. government claimed the court mandate for returning all children under 5 to their parents by July 10 and all other children by July 26 does not account for the time required to verify and vet each parent.

"The government does not wish to unnecessarily delay reunification," lawyers for the Justice Department said in their response to the court. "At the same time, however, the government has a strong interest in ensuring that any release of a child from government custody occurs in a manner that ensures the safety of the child."

Sabraw said he understood the government was acting in "good faith" by raising issues that could affect the timing, but said the "goal here is for reunification" and cautioned that the government should not resort to appealing his decision to reunify.

Sabraw said he was prepared to grant additional time if the government could provide a master list of the children under 5 who had been separated from their parents with information on the whereabouts of their parents and any difficulties they may have in locating them.

Health and Human Services Secretary Alex Azar said Thursday that his agency is using DNA testing to confirm parent-child relationships for nearly 3,000 children.

The Justice Department argued that inconclusive DNA tests can delay reunification, as can the work necessary to make sure children are going to parents who are fit to care for them.

Alternatively, the court could clarify its mandate by allowing the vetting process to be shortened, the government argued.

"If the court concludes that HHS must truncate (the vetting) process to meet court-ordered deadlines, then the court should so order in a manner that provides HHS full clarity," the government lawyers argued in the filing.

Sabraw said HHS "should not feel obligated to comply with those internal procedures" that were put in place to match children who had arrived at the border alone because the parents represented in the lawsuit arrived at the border with their children.

The response also asked the judge to clarify how many children it should be seeking to reunify.

President Donald Trump's "zero tolerance" policy requiring every immigrant crossing the border illegally to be prosecuted and therefore separated from any children went into effect in early May, but HHS interpreted its mandate to mean that children separated before the policy went into effect should also be reunited. Trump signed an executive order June 20 ending separation.

The government also argued that it was too difficult to find parents who have already been deported back to their home countries, asking the judge to extend the timeline to find those parents or exclude them from the population who must be reunified.

Sabraw also said that his order for the government to reunify children does not mandate how the government releases or detains immigrants. The Trump administration had argued that his order was in conflict with court decisions in 1997 and 2015 that mandated children be released from detention after 20 days and therefore justified their decision to detain them indefinitely.

Trump Admin: We Can't Locate Parents Of 38 Immigrant Children Under 5

[Daily Beast](#), July 6, 2018

The parents of 38 children under the age of 5 who were separated at the U.S. border cannot be located, government lawyers told Judge Dana Sabraw of the Southern District of California on Friday. Nineteen of the children have parents who have been deported, while parents of the other 19 children have reportedly been released in the U.S. The government has a court-imposed deadline requiring the 100 children under the age of five in its custody to be reunited with their parents by July 10th. Government lawyers said only half will be able to be reunited by that deadline. Judge Sabraw agreed to delay the deadline if the government provided a master list on the status of each parent and child by 10 a.m. PT on Monday.

ICE To Set Free Illegal Immigrants To Comply With Judge's Family Reunification Order

By Stephen Dinan

[Washington Times](#), July 6, 2018

Every illegal immigrant parent whose child was separated at the border has now been able to at least speak by telephone, the government said in a new court filing Friday.

And some parents have already been moved to new detention facilities to put them closer to where their children are being held, preparing for final reunification and, in many cases, release from custody.

"In many cases ICE will release the parent on Alternatives to Detention (ATD) to enable reunification to be completed," Robert Guadian, a top official at U.S. Immigration and Customs Enforcement, said in a sworn declaration.

That signals that catch-and-release — the policy the Trump administration had been trying to stop — remains in effect as the government scrambles to deal with the aftermath of family separations.

Mr. Guadian provided details hours before a key hearing where the government will defend its slow progress in reuniting nearly 3,000 children who may

have been separated from their parents in the wake of President Trump's zero tolerance policy.

Some 300 criminal background summaries have already been prepared on the parents to make sure they aren't a danger to their children. Some parents have already been flagged for drug offenses, assault, rape, robbery, kidnapping and domestic violence — convictions that would prevent them from being able to take custody, Mr. Guadian said.

Another 1,400 background checks still need to be completed.

Trump Administration Ordered To Supply List Of Young Children Subjected To Separation

By Ted Hesson And Josh Gerstein

[Politico](#), July 6, 2018

A federal judge on Friday ordered the Trump administration to turn over a list of very young children who may have been separated from parents at the U.S.-Mexico border.

U.S. District Court Judge Dana Sabraw told a Justice Department attorney to provide by 5 p.m. PDT Saturday a tally of the roughly 100 children under age 5 who were split apart from adults at the border.

"What I'm expecting is a lot of work over the weekend," he said during a meeting between parties in a lawsuit over family separations.

The Trump administration faces a Tuesday deadline — imposed by Sabraw last week — to reunite the young children with their parents. The administration contends it needs more time to determine which children have been separated from parents and to perform adequate security checks to ensure the safety of the child.

On Friday, Sabraw ordered the Justice Department to supply a preliminary list of young children who could possibly qualify for reunification, along with any explanation of obstacles to reunification.

The Trump administration has "mapped" 86 parents to 83 children under age 5 who remain in the custody of the Office of Refugee Resettlement, Justice Department attorney Sarah Fabian said during the court meeting Friday.

Of the 86 mapped parents, 46 remain in federal immigration detention, 19 have been deported, 19 have been released, and two have a criminal history that could potentially disqualify them from reunification, Fabian said.

It isn't clear how much the federal government knows about the whereabouts of "unmapped" parents for nearly 20 children under 5.

Lee Gelernt, an attorney with the American Civil Liberties Union representing separated parents in the litigation, pressed Friday for the administration to provide names of all children and parents who may have been separated. With that information, he said, the ACLU and other interested parties could aid the reunification process.

The plaintiffs are “completely in the dark,” he said. “The government holds all the information.”

Under Sabraw’s order, the administration must unify all separated families by July 26--a deadline it won’t likely meet. HHS Secretary Alex Azar said Thursday that the total number of children split apart from parents at the border was less than 3,000, but he did not supply an exact figure.

The first task, however, will be to reunite the youngest of migrant children--something the administration almost certainly won’t achieve by Tuesday. The judge said that both parties in the case will confer Monday about how to proceed.

In a filing submitted to the San Diego-based judge shortly before midnight Thursday Pacific Time, Justice Department attorneys said authorities are using DNA testing to try to confirm “parentage” of children separated as a result of policies the administration implemented earlier this year. However, they said the results are not always quick or “conclusive.”

“Given the possibility of false claims of parentage, confirming parentage is critical to ensure that children are returned to their parents, not to potential traffickers,” Justice Department lawyers wrote. “The Government ... seeks clarification that in cases where parentage cannot be confirmed quickly, HHS will not be in violation of the Court’s order if reunification occurs outside of the timelines provided by the Court.”

The Justice Department did not ask for any specific extension, saying only that the government could “prepare a proposal for an alternative timeline.”

When pressed by Sabraw Friday about whether the administration planned to appeal his reunification order, Fabian declined to commit. “That is a decision entirely within the purview of the solicitor general,” she said.

The DOJ filing Thursday said the government may need to seek “additional clarification or relief” from the order.

The Trump administration’s “zero tolerance” border enforcement strategy triggered thousands of family separations in recent months. President Donald Trump – besieged by opposition to the policy – issued a June 20 executive order that aimed to keep families together in detention, but the directive was soon dwarfed by

Sabraw’s court order and its demand to reconnect families.

The administration has struggled to return as many as 3,000 children to their parents, some of whom remain in immigration custody and some who have already been released or deported.

The Health and Human Services Department has scrambled in recent days to devise a plan to reunite families, but as of earlier this week, staffers had little to no guidance on how to proceed with the court-ordered reunifications.

The department executed a contract with BCFS Health and Human Services, a San Antonio-based non-profit umbrella group, to deploy 100 case managers to work toward reunifications, as well as 40 staffers for logistical and administrative support, according to the court filing.

BCFS maintains an active contract with the HHS emergency response team with a potential to reach \$13 million that runs through July 14, according to a website that tracks federal spending.

The staffing boost comes as HHS continues to grapple with the basic question of how many separated children remain in its custody.

Over the weekend, refugee office staffers manually reviewed the files of the nearly 12,000 children in its custody to determine which children may have been taken away from adults at the border.

In addition, HHS called for grantees that operate the department’s 110 shelters nationwide to identify separated children in their care.

“The results of both the manual review and the grantee certifications are undergoing validation,” Jonathan White, a deputy director with the Office of Refugee Resettlement, said in a related court declaration Thursday.

Whether HHS will attempt to reunite children who have been released already to a sponsor remains unclear.

In a letter sent Friday, six Democratic governors said they had learned HHS considered any placement of a child to amount to a reunification — even if the sponsor wasn’t the parent from whom the child was separated.

The letter references a June 29 meeting where Trump administration officials reportedly said that a successful reunification would include placement with a family member in the U.S., a family member in the child’s home country or in a long-term foster care setting.

Reunifying parents and children under the judge’s timeline would also require modifying security procedures, but ORR hasn’t taken some of those steps yet, according to Thursday’s court filing.

The refugee office maintains a range of processes to place unaccompanied children with a sponsor in the U.S., but such checks, which seek to confirm parentage and ensure a child won't be placed in danger, would likely take longer than the imminent deadlines for reunifying families.

The administration has turned to DNA as the best method to verify parentage "given the compressed timeframe" ordered by the court, White said in his written declaration.

The shelters that maintain custody of children have swabbed their cheeks to collect DNA samples and HHS field teams have done the same with parents in federal immigration detention, according to the court document. The testing, conducted by a third-party laboratory service, takes nearly a week to complete for each parent and child.

White said HHS had "modified and expedited" its normal reunification process to comply with the court deadlines, but several security and background checks appeared likely to delay the release of children.

For instance, White said he doesn't believe ORR can streamline background checks it performs on all household members of the parent and child's prospective home.

"My opinion," White said, "is that some relaxing of the Court's deadlines is needed to allow HHS, on a case-by-case basis, to complete processes that HHS determines are necessary to make informed class membership determinations and to protect the welfare of the children presently in ORR custody."

Dan Diamond contributed to this report.

The Government Hasn't Answered Key Questions On Family Separations

By Catherine E. Shoichet

[CNN](#), July 6, 2018

(CNN) It's been more than a week since a federal judge in California ordered the Trump administration to reunite the families it separated at the border.

Officials say they're working to comply and meet deadlines the court set. But they've been tight-lipped about many details.

Here are some of the key unanswered questions, and the latest we've learned as they have come up in court:

Will officials meet the deadlines? And what happens if they don't?

US District Judge Dana Sabraw laid out a series of deadlines in a ruling last week. By Friday, officials must make sure every separated parent has a way to contact their child. By July 10, children younger than 5 must be

reunited with their parents. And by July 26, all children should be reunited with their parents.

In a court filing this week, the government outlined a series of steps it's taking to comply with the court order: including DNA testing, increased staffing and expediting existing processes.

A government attorney said in court Friday that she believed officials had met the first deadline. But she said she's not sure whether they can meet the next one that's looming. Authorities might need more time to reunite children younger than 5 with dozens of parents who are no longer in ICE custody, Justice Department attorney Sarah Fabian said.

Lawyers from the ACLU have been adamant that the court gave officials plenty of time – and that there's no reason to give the government extra time to clean up a mess it made.

On a call with reporters Thursday, Health and Human Services Secretary Alex Azar called the deadlines "extreme" but said officials would comply.

How many reunions have occurred?

The only firm statistics we've received from officials about reunions came from the Department of Homeland Security, which said before the judge's ruling that 522 children who were separated from their families under the administration's "zero tolerance" policy had been reunited with their parents.

But federal agencies have repeatedly declined to respond to questions since the court ruling about how many families have been reunited.

Exactly how many kids from separated families are in custody?

The last time officials released an official tally on this was June 26. Thursday, Azar said the number was "under 3,000" but added that reviews were ongoing and he could not provide more precise figure. This is an important number because – since officials have declined to specify the total number of families that have been reunited – looking at the number of children in custody is one of the few ways for the public to have any sense of whether reunions are happening, and how quickly.

What's the holdup in getting a precise tally?

According to Azar, it's because the court order required officials to go back further in time and comb through thousands of cases to find any separated children – not just to focus on the administration's new "zero tolerance" policy, which officials announced in May.

Of the fewer than 3,000 children, Azar said about 100 were younger than 5.

Will the government reunite kids with parents who have already been deported?

In a court filing Friday, the government asked the court for clarity about whether officials actually have to do this, noting that the judge's ruling did not specify whether deported parents should be included. If that is required, the filing said, officials would need more time "given the complexities involved in locating individuals who have been removed, determining whether they wish to be reunified with their child, and facilitating such a reunification outside of the United States."

Sabraw said in court that deported parents were included in his order.

It's unclear what steps the government will take to do this.

How many parents have been deported without their kids?

Officials haven't disclosed how many parents from separated families were deported. But in court on Friday, Fabian revealed details about one subset: 19 parents of children younger than 5 were deported, she said.

Asked Thursday about what would happen in such cases, Azar said, "If any parent has been deported ... without their child, that likely would be a scenario where the parent had actually asked that the child remain."

Immigration authorities are offering parents separated from their children at the border the option to be deported with or without their children, according to a government document obtained by CNN this week.

Parents have also been offered the option to sign voluntary departure orders to speed up their cases even if they still have other legal options – and told they'll be reunited with their children before they are deported if they do.

Immigrant advocacy groups say they're concerned that some parents may have been coerced or may have signed documents they didn't understand.

CNN's Tammy Kupperman and Veronica Stracqualursi contributed to this report.

Trump Administration Says It May Not Meet Deadline To Reunite Separated Families

By Alan Gomez

[USA Today](#), July 6, 2018

The Trump administration argued in a court hearing Friday that it may not be able to fully comply with a federal judge's order to reunite nearly 3,000 children separated from their parents by the end of the month.

The administration must reunite about 100 children under age 5 by Tuesday, and all other minors by July 26. But government lawyers said there is too much work to do and too many questions about the judge's order to meet his strict deadlines.

During the hearing, Department of Justice lawyer Sarah Fabian said the government is stuck between the court's strict deadlines and legal requirements that children in government custody be released only into safe environments.

"There really has been a massive effort on the part of the government to get the resources in place on the ground to make reunification happen in accordance with the court's order," Fabian said. But, "there's always going to be tension between a fast release and a safe release."

The request for more time came a day after Health and Human Services Secretary Alex Azar held a conference call where he assured reporters that the administration would reunite all the children that had been separated. Azar criticized the ruling, but vowed to meet the court-imposed deadlines.

"We will comply with the artificial deadlines established by the courts," he said Thursday.

On Friday, Fabian said the government is struggling to complete the time-consuming process of verifying the relationship between parents and children, locating parents who have been deported or released into the U.S., and ensuring that parents who have been found do not have a criminal record or pose a threat to their children.

U.S. District Judge Dana Sabraw, who issued the order to reunite the separated families, said he may extend his deadlines in extreme cases where parents have been deported or have a criminal background. But he said the government must push ahead not only to reunite the nearly 3,000 children covered by his order, but also to establish a system that can be used in future cases.

He urged the government to "do it in an efficient, quick manner, but of course never losing sight of the best interest of the child."

He gave the Justice Department until Saturday evening to produce a list of the 101 children under age 5 who must be reunited. The judge will hold another hearing on Monday to decide whether the government will get more time, or whether it must comply with his deadlines.

Lee Gelernt, an ACLU attorney leading the lawsuit, said an army of volunteers was standing by, ready to locate parents who have been deported or can't be located in the U.S. He said those volunteers — a combination of lawyers and immigrant rights organizations — will also help families with transportation, housing and meals when they're reunited with their children.

"The parents are going to have no money, they're going to be put out on the street in Detroit or wherever," he said. "And we are prepared to make sure every one

of those parents has someone there with them when they walk out."

In a series of court filings leading up to Friday's hearing, the government argued that it has been working nonstop to comply with Sabraw's order and provided explanations from Health and Human Services and Immigration and Customs Enforcement to lay out what they've done.

Jonathan White, of the Office of the Assistant Secretary for Preparedness and Response at HHS, wrote that the agency has deployed nearly 300 personnel to serve as case managers and coordinators to speed up the reunification process.

Robert Guadian, acting deputy assistant director for ICE's Enforcement and Removal Operations, wrote that his agency has reassigned agents from other assignments, including fugitive operations, to the work of reunifying families. He said 19 of the agency's 26 field offices have been involved.

The two outlined a comprehensive, case-by-case analysis of all minors in custody due to immigration violations to determine if they fall under Sabraw's order. And, as Guadian explained, the first hurdle was the biggest.

Before Sabraw's order, the government did not have a list of children who had been separated from their parents before Trump's "zero tolerance" policy went into effect — or after. Guadian wrote that information was simply "not maintained as part of ICE's regular business practice," Guadian wrote.

That forced HHS to conduct a case-by-case review of all 11,800 minors in its custody to see which files included a mention of a family separation. Then, ICE followed up to determine exactly when and how the family was separated.

And then they had to sync those files up by hand because, as White explained, "DHS has different information systems, and those systems were not designed to neatly capture and readily share all of the data."

Further complicating the reunification process was the realization that all children's parents were not still in government custody. Some have been deported, and some have been released into the US on parole as they await hearings, and some haven't been located at all.

For example, HHS identified 101 children under age 5 who may need to be reunited with their parents under the judge's order. Fabian said the government has verified the parents of 83 of the children. Of those, 46 are in detention in federal facilities, 19 have been deported, 19 have been released into the U.S., and two have been determined to be risks to their children.

The government says the cases where they can't find the parents are the ones where it will be most difficult to fully comply with the judge's order.

"Some of the identified minors may have been separated prior to crossing the border, or there may be other factors that need to be explored that would not make their parents members of the class," White wrote.

A federal complaint filed Friday claims the government has made matters worse by misplacing and, in some cases, destroying records of children separated from their parents.

Citizens for Responsibility and Ethics in Washington filed a complaint with the National Archives and Records Administration requesting an investigation into reports that officials at Homeland Security and Health and Human Services have purposefully destroyed records that showed parents were separated from their children. If there is no proof that a family was separated, the government would not be required to reunite them under the judge's order.

Citing a New York Times report, the advocacy group urged the government's official archivist to determine whether immigration agents willfully destroyed the records in an attempt to keep families separated.

"Rarely, if ever, has a potential violation of the (Federal Records Act) had such grave implications," read the complaint. "The reportedly destroyed records bear directly on the lives of thousands of immigrants seeking entry to our country, threatening the permanent separation of parents from their children."

The Mess Of Migrant Family Reunifications

[Washington Post](#), July 7, 2018

IN LATE June, Alex Azar, secretary of Health and Human Services, assured migrant parents whose children had been snatched away by U.S. border officials that there was "no reason" they could not find their toddlers, tweens and teenagers. Then it turned out that Mr. Azar's department, which is in charge of the children's placements and welfare, doesn't have a firm idea of how many of those children it has under its purview. Or where all their parents are (or even whether they remain in custody). Or how parents and children might find each other, or be rejoined.

On Thursday Mr. Azar was back with more rosy assurances, this time that the government would meet a court-imposed deadline to reunite those children with their parents — by Tuesday in the case of 100 or so kids under the age of 5, and by July 26 for older minors. A day later it turned out the government was begging the court for more time.

Mr. Azar blamed the judiciary for setting what he called an "extreme" deadline to reunify families. Yet as

details emerged of the chaotic scramble undertaken by Trump administration officials to reunify families, it is apparent that what is really “extreme” is the government’s bungling in the handling of separated families — a classic example of radical estrangement between the bureaucracy’s left and right hands.

A jaw-dropping report in the New York Times detailed how officials at U.S. Customs and Border Protection deleted records that would have enabled officials to connect parents with the children that had been removed from them. No apparent malice impelled their decision; rather, it was an act of administrative convenience, or incompetence, that led them to believe that, since parents and children were separated, they should be assigned separate case file numbers — with nothing to connect them.

The result is Third World-style government dysfunction that combines the original sin of an unspeakably cruel policy with the follow-on ineptitude of uncoordinated agencies unable to foresee the predictable consequences of their decisions — in this case, the inevitability that children and parents, once sundered, would need at some point to be reconnected.

Now, faced with the deadline for reuniting parents and children set June 26 by Judge Dana Sabraw of U.S. District Court in San Diego, hundreds of government employees were set to work through the weekend poring over records to fix what the Trump administration broke by its sudden and heedless proclamation in May of “zero tolerance” for undocumented immigrants, and the family separations that immediately followed.

Mr. Azar, following the White House’s lead, insisted any “confusion” was the fault of the courts and a “broken immigration system.” In fact, the confusion was entirely of the administration’s own making. The secretary expressed concern in the event officials lacked time to vet the adults to whom it would turn over children. Yet there was no such concern about the children’s welfare, nor the lasting psychological harm they would suffer, when the government callously tore them away from their parents.

Mission Accomplished? Trump Still Needs To Reunite Families. [Editorial]

[Houston Chronicle](#), July 7, 2018

The White House need not be hanging a “Mission Accomplished” banner any time soon.

Many Americans may have breathed a sigh of relief when President Donald Trump signed an executive order that would ostensibly end the monstrous practice of ripping away Central American asylum seekers from their children. It appeared that the president had come to

his senses on his “zero tolerance” policy at the border, apparently relenting to the national outrage and revulsion over the pictures of anguished mothers and weeping youngsters, some behind chain-link fences. It seemed the separations would be quickly halted. It seemed that nearly 3,000 children would be reunited with their parents.

“The mission will be accomplished,” Trump’s Secretary of Health and Human Services Alex Azar wrote Thursday in an email obtained by The New York Times. “And everyone should feel satisfied that we are doing our part to reunify the children with their families.”

But this mission is far from over. And the administration’s efforts to rectify the situation should leave no conscientious American feeling satisfied.

A chaotic scramble seems to be the best way to describe the situation as federal agencies try to comply with a federal judge’s order to return children to their parents. The agency tasked with overseeing the migrant children, the Office of Refugee Resettlement, is straining to set things right, but the process has been undermined by yet another federal agency. It appears that the folks from Customs and Border Protection somehow deleted initial records that tracked parents and kids under a single “family identification number” — apparently, with no thought as to how they would ever be reunited. It’s a scandal worthy of a congressional investigation and a little soul-searching by the Trump supporters preaching law and order.

With the clock ticking toward the judge’s deadline, it looks increasingly likely that the administration will end up violating the court order — particularly a provision mandating expedited reunification for 100 children under the age of 5 by Tuesday. Older kids have to be reunited by July 26.

Yes, some families have been made whole again, and their stories offer a harrowing glimpse into the cruel conditions our government is inflicting upon those too young to even understand. One mother, Olivia Caceres, was separated from her 14-month-old son after approaching a legal border crossing. When he was returned 12 weeks later, PBS reported, she found him in a condition that in any other circumstance would prompt a child welfare investigation.

“When I took off his clothes, he was full of dirt and lice,” Caceres testified. “It seemed like they had not bathed him the 85 days he was away from us.”

Perhaps it is time to take the president at his words, as chilling as they may be, when he describes these migrants as “animals” who want to “infest” our country. His policies have allowed the government to treat them as such.

While the cable news talking heads move on to the next breaking news, the conditions that inspired so many to take to the streets last weekend remain the status quo for too many parents and children.

The situation is so dire that people on the front lines have begun to speak out. Nineteen members of Immigration and Customs Enforcement signed a letter to Secretary of Homeland Security Kirstjen Nielsen advocating for the agency to be reorganized to concentrate more on criminals than families. The National Association of Immigration Judges has pushed back against Trump's calls to simply abrogate due process and deny migrants a fair trial.

Will Trump listen? Not likely. He apparently has another target in his war against immigrants. No, it's not a crackdown of the truly dangerous people living illegally within our borders; that priority would be worthy of praise. His administration appears to be going after immigrants who enlisted in the military with a promised route to citizenship. The Associated Press reported last week that such recruits are being abruptly discharged. A new DHS office has been created with the specific duty of stripping immigrants of their naturalized citizenship if errors are found on already-approved applications.

Meanwhile, more migrants are being denied legal requests for asylum. And the White House continues to support bills that slash the number of legal immigrants.

So, no, the mission to repair the damage of an inhumane policy isn't complete. And unless Americans continue to protest and resist, the president's other mission — to stem the flow of immigrants, all immigrants, the lifeblood of this nation — will keep pressing ahead at full steam.

US Has No Excuse For Delay In Reuniting Immigrant Children With Their Parents

By Juliette Kayyem

[CNN](#), July 7, 2018

CNN analyst Juliette Kayyem is the author of the best-seller "Security Mom: My Life Protecting the Home and Homeland." She is a professor at Harvard's Kennedy School, a former assistant secretary of the Department of Homeland Security in the Obama administration and CEO of Zemcar. The opinions expressed in this commentary are hers.

(CNN)Do you know where the children are?

For the United States, the answer to that question is still a remarkable "no." The Trump administration is in the middle of a humanitarian crisis that it created. And it has exacerbated the tragedy by failing to implement, with urgency, well understood crisis management skills to solve the problem.

Juliette Kayyem

There is no reason that the reunification of children who were separated by US authorities from their parents should be so chaotic.

Just a day after Health and Human Services Secretary Alex Azar confidently notified the public that the administration would satisfy a court's order to reunite all children younger than 5 by a July 10 deadline, the government reversed course and asked the court for an extension. Sarah Fabian, an attorney for the Justice Department, admitted that the administration still does not know where the parents of nearly 20% of the children are because those parents were released from ICE custody.

In other words, the administration would not be able to satisfy the judicial order. These numbers do not include reunification of "older" (older than 5) children, which is set for July 26. The lack of any paperwork or accounting means the government is resorting to DNA testing to be able to match these families. And the numbers are all over the place: The government still does not have an exact number of parents or children who remain separated. It has estimated that number to be about 3,000.

There are no excuses. Even assuming that the removal policy was sound public policy — and it was not — it simply defies logic that our own government would separate children from their families with no serious effort at an accounting and tracking system to be able to reunite them at some stage.

Separating children from their families is part of America's legacy

Maybe we shouldn't be surprised. After all, the Trump administration, through Secretary of Homeland Security Kirstjen Nielsen, originally denied even doing it, then balked at the notion that they could stop it. Donald Trump eventually caved to public pressure with an executive order that was so weak it took a court to step in to demand reunification. Was the thought that if the policy wasn't acknowledged these kids would simply — what, exactly? Go away?

Even worse, the reunification process has lacked the urgency and organization that is required of any crisis. Family reunification is a well understood consequence of any disaster; governments spend considerable effort in training and planning procedures (such as organizing non-governmental agencies, churches and schools to assist, creating databases, and picture galleries) in focusing on how to bring children and families back together should they be separated by an event.

Family unification is always a priority. After all, disasters happen all the time, and while this one was

planned and executed by the government, our efforts would have been better served by implementing disaster management lessons to try to bring them together.

What would that take? Well, let's start with the obvious. This is the United States. Unlike Haiti after an earthquake, or Thailand after a tsunami, the basic infrastructure here works: phones, electricity, cameras and computers. The pool of children separated is relatively small compared to many other disasters, such as the Haiti earthquake or Thailand's tsunami; the number of facilities holding these children should be known with some certitude.

What's lacking then, is a focus by the very White House that got us to this moment.

As reported, the reunification has been stymied by the number of agencies and state and local stakeholders involved in the effort. HHS has borne the brunt of the reunification demands since the children are in their custody. But, multiple players also have strong equities and insights.

Whether trapped in a cave or held by the US, children need us to care

DHS, whose agencies forcibly removed these children, has been accused of destroying some of the data that links parents to their children, though DHS has denied this claim. There is also the Department of Justice, which oversees the immigration courts; the Department of Defense, which has been preparing to hold families; the State Department, which is getting queries from nations where the children came from; state and local governments where the facilities reside; and private sector contractors who own and manage where these kids are held.

What we are missing here is leadership. A point person, an incident commander, a czar, someone in the White House who can manage these various entities and claims and force movement and solution. The White House has remained relatively quiet on this front; the President's homeland security adviser has been notably absent when it comes down to the reunification effort.

And so the consequence, outside the mere fact that these children are waiting in limbo, has been a second kind of disaster. It means that what should have been a process to reunite these kids has been too slow; data and numbers have been all over the place, and therefore unreliable; and courts have had to get involved to force the government to do what it could have done on its own.

It is clear now that the Trump administration never processed the consequences of its policy and then never processed the urgency of finding a solution. The reason? Others can fill in the blanks: cruelty as a public policy,

racism, ignorance, chaos as a means of management, or simply bad execution.

Tuesday, the Trump administration is supposed to reunite children younger than 5 with their parents. It will miss that deadline for some of these kids. That we are at this stage defies any appropriate adjectives. Try harder.

ACLU: Many Children Unlikely To Be Reunited By Deadline

By Elliot Spagat

[Associated Press](#), July 8, 2018

SAN DIEGO (AP) – The American Civil Liberties Union said it appears the Trump administration will miss a court-ordered deadline to reunite young children who were separated at the border with their parents in more than half of the cases.

The ACLU said late Sunday the administration provided it with a list of 102 children under 5 years old and that "appears likely that less than half will be reunited" by Tuesday's deadline.

The Justice Department asked U.S. District Judge Dana Sabraw for more time last week but the judge on Friday did not grant a blanket extension, saying only that he would consider certain exceptions. He told the two sides to discuss possible exceptions over the weekend and report to him Monday.

The Justice Department said early Monday that the administration "worked tirelessly" since Friday "toward the shared goal of promptly reunifying families while ensuring the safety of the children."

"The results of that work have been highly encouraging, and the Department of Justice is eager to present its progress to the court on Monday and to chart a path forward to safely reunifying other families expeditiously," it said.

Children were increasingly separated from their parents after Attorney General Jeff Sessions announced in May that a zero-tolerance policy on illegally entering the country was in full effect. While parents were criminally prosecuted, children were placed in custody of the Health and Human Services Department.

Trump reversed course on June 20 amid an international outcry and said families should remain together.

On June 26, Sabraw set deadlines of Tuesday to reunite children under 5 with their families and July 26 for older children. Sabraw, who was appointed by President George W. Bush, wrote that the "situation has reached a crisis level" and that the "chaotic circumstances" were of the government's own making.

Health and Human Services Secretary Alex Azar said Thursday there were "under 3,000" children separated from their parents. Previously, he said 2,047.

"It's extremely disappointing that the Trump administration looks like it will fail to reunite even half the children under 5 with their parent," said ACLU attorney Lee Gelernt. "These kids have already suffered so much because of this policy, and every extra day apart just adds to that pain."

The ACLU sued in March on behalf of a Congolese woman who was separated from her daughter for five months after seeking asylum at a San Diego border crossing and a Brazilian asylum-seeker who was separated from her son after an arrest for illegal entry in August near the Texas-New Mexico border.

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ACLU Says Trump Admin Has Turned Over Names Of Children Under 5 Waiting To Be Reunited With Parents

By Avery Anapol

[The Hill](#), July 8, 2018

The American Civil Liberties Union (ACLU) said Sunday that the Trump administration has turned over the names of nearly 100 migrant children under 5 years old who were separated from their parents at the U.S.-Mexico border.

A spokesperson for the ACLU confirmed to CNN that the Justice Department had given them the list of names, as ordered by a federal judge on Friday. U.S. District Court Judge Dana Sabraw ruled that the administration had until late Saturday to release the list and until Tuesday to define its plans for reuniting those children with their families.

The Justice Department had requested a blanket extension on the July 10 deadline, saying it needed more time to conduct DNA testing on some of the children in order to match them with their parents.

But the judge declined to grant that request, saying the government must comply with the deadline "unless there is an articulable reason." The judge also ordered them to release the list of names to the ACLU.

The government has until July 26 to reunite all other children separated from their parents.

A hearing will take place Monday for the judge to determine if the Trump administration can take more time to reunite some of the families.

President Trump has come under fire for his "zero tolerance" immigration policy, which resulted in more than 2,000 children being detained separately from their

parents after being apprehended for crossing the border illegally.

Though the president signed an executive order to halt family separations, the administration has been criticized for not working quickly enough to reunite the families.

The backlash has continued amid reports of children as young as 1 being forced to appear in immigration court, many without legal representation.

Homeland Security Officials Forced To Resume Catch-and-release Policy For Illegal Immigrants

By Stephen Dinan

[Washington Times](#), July 8, 2018

Homeland Security is preparing to release dozens of immigrant parents from custody this week in order to reunite them with their young children, blaming a judge's deadline for forcing them to reimpose the catch-and-release policy the Trump administration was trying to end.

Government lawyers went to court last week to suggest they wouldn't be able to meet the strict deadlines and go through all of the checks they usually do to make sure they're releasing children to safe situations.

"There's always going to be a tension between a faster release and a safe release," said Sarah B. Fabian, a Justice Department lawyer.

But Judge Dana Sabraw refused to grant an extension on the deadline, saying his goal is to get as many families reunited as quickly as possible, and he wants the government to feel the pressure to do that.

He has set a deadline of Wednesday for children under five who were separated by immigration authorities at the border to be reunited with their parents.

Ms. Fabian said they have found 101 such children who are still in government custody who could fit into that category — and they've matched 86 parents to 83 of the children.

Of those 86, who are the subject of the lawsuit, 19 have already been deported and 19 have already been released into the U.S. Another two have been deemed unfit to take custody of their children because of kidnapping and rape or child cruelty histories.

That leaves 46 parents still in custody of U.S. Immigration and Customs Enforcement, and the government said it's already preparing to release many of them in order to put them back together with their children.

"In many cases, ICE will release the parent on Alternatives to Detention (ATD) to enable reunification to

be completed," Robert Guadian, a top ICE official, said in a sworn declaration to Judge Sabraw on Friday.

That signals that catch-and-release — the policy the Trump administration had been trying to stop with its zero-tolerance policy — remains in effect as the government scrambles to deal with the aftermath of family separations.

Judge Sabraw said as far as he's concerned, the government can hold those migrants as families if it wants.

"I want to be clear that I stand on the order and my comments here today don't in any way suggest the attorney general must release or must detain, or when he can release or detain. Those are within the federal government's prerogatives, consistent with law," he said.

Yet the judge has sown confusion as he's taken control of the government's deportation and custody machinery.

At one point even he didn't seem to know what his rulings meant. He told the government it didn't have to bother reuniting children to parents who've already been deported — then moments later told a lawyer for the American Civil Liberties Union, which is representing the families, that it did include deportees.

He later explained that he "misspoke" the first time.

Both the ACLU and Ms. Fabian will be part of a hearing Monday to figure out final details ahead of this week's deadline. Yet another deadline for juveniles ages 5 to 17 to be reunited with their parents looms later this month.

The government has already worked up 300 criminal background summaries to make sure parents aren't a danger and had another 1,400 to go as of Friday, Mr. Guadian said.

Government officials say they usually check the background of entire households when they know they are releasing children to them.

They asked whether they could have more time to meet Judge Sabraw's deadlines.

"My opinion is that some relaxing of the court's deadlines is needed to allow HHS, on a case-by-case basis, to complete processes that HHS determines are necessary to make informed class membership determinations and to protect the welfare of the children presently in ORR custody," said Jonathan White, a senior official at the federal Health and Human Services Department, in a court filing.

Judge Sabraw said he needed to know more about those procedures before deciding what to order.

U.S. Rep. Raúl Grijalva Tours Tucson Shelter For Young Immigrants Separated From Parents

By Perla Trevizo

[Arizona Daily Star](#), July 7, 2018

Nearly 80 immigrant children separated from their parents at the border are housed at a shelter north of downtown Tucson, U.S. Rep. Raúl Grijalva told reporters Friday after he toured the facility.

Since the Trump administration implemented a "zero tolerance" policy for border enforcement, there have been 3,000 children reclassified as unaccompanied minors across the U.S.-Mexico border, including about 100 under the age of 5, after their parents were referred for prosecution for crossing the border illegally.

But government officials have refused to provide local numbers.

Casa Estrella del Norte, the shelter visited by Grijalva, is one of about three in the Tucson area. There are at least nine others in the greater Phoenix area, according to a map put together by ProPublica.

"It's clean, but it's still a place where kids can't leave," Grijalva said after the more than hourlong tour. "At the end of the day it is still disheartening to see kids in legal limbo trying to figure out what's going to be their status in the future."

There are about 300 minors currently housed at the shelter — about 60 girls and the rest boys — which is operating at capacity.

Grijalva said the focus at the moment is to expedite the reunifications of those separated from their parents, which is taking about 45 days.

"It's going to be difficult," said Grijalva, a Tucson Democrat. "The staff was very honest — the reunification is not going to be an easy task."

The administration requested an extension Friday to abide by a federal judge's order to reunite children under age 5 by Tuesday and the rest within 30 days.

Citing Department of Homeland Security officials, The New York Times reported that records linking children to their parents have disappeared, in some cases destroyed, complicating reunification efforts.

As part of the process, staff at Southwest Key — which operates the shelters — is looking at each case individually. This can include DNA samples to ensure they are connecting the child to the right individual, Grijalva said.

In response to an email request for updated numbers initially submitted in June, Department of Health and Human Services officials responded: "As HHS continues to evaluate the impact of the District Court ruling, and given the constantly changing number

of unaccompanied alien children in our care (every day minors are referred to our care and released from our care to parents, close relatives or suitable sponsors), we are providing the total number of unaccompanied alien children in the care of HHS-funded grantees. While we understand the interest in detailed breakdowns of this information, our mission has been and remains to provide every minor transferred to HHS, regardless of the circumstances, with quality and age-appropriate care and a speedy and safe release to a sponsor. Currently, there are more than 11,800 minors in our care."

Casa Estrella del Norte shelter opened in the summer of 2014 in what used to be studio apartments for college students. That year, the number of unaccompanied minors crossing the border had risen to about 40,000. The following year, the Border Patrol apprehended close to 70,000 minors along the Southwest border, the vast majority from Central America and many of them crossing through Texas.

So far this fiscal year, the Border Patrol has apprehended 37,450 unaccompanied minors coming through the southwest border and nearly 69,000 families, usually a parent traveling with a child.

The Obama administration reopened an old warehouse at the Nogales Border Patrol station but that was only a temporary solution because it was never designed to hold children. Then, just as the Trump administration is proposing now, the Defense Department made military bases in San Antonio; Ventura County, California; and Fort Sill, Oklahoma, available to temporarily house some of the minors.

Customs and Border Protection has to transfer the children within 72 hours to HHS, which takes custody of them while they are reunited with parents or relatives in the United States to continue their immigration proceedings.

The federal agency then contracts with groups such as Southwest Key, which describes itself as the largest provider of shelter services to unaccompanied minors in the country, to house the children while case managers work to find the parents or other relatives or sponsors.

But the facilities are off limits to the public, including media and government officials.

In 2015, the Star visited the Tucson shelter following reports of three immigrant teens running away in the span of a couple of days. City Councilman Steve Kozachik pushed for a tour that included a member of the media. No photographs were allowed.

Back then, as children arrived they were welcomed by two wall-size murals featuring children holding hands around a globe, and inspirational words in Spanish, including bravery and integrity.

The dorms had twin beds; some had bunk beds. A staff member who works with Grijalva said two to three kids sleep in a room.

There used to be a room to accommodate mothers with babies, but the facility now cares only for children older than 5.

While they wait for reunification, children take classes in subjects including English, math and social studies. They also do physical education and have time to play outside.

Classrooms had walls covered in maps and the children's drawings of their home countries' flags and national birds. What used to be a coffee shop was a game room with pool tables and foosball.

The cafeteria entrance had a big white board with a calendar listing different activities for the month, which include movie nights and religious services.

Children are generally separated by age groups and gender. Depending on the number being housed, they are also broken into groups to eat their three meals a day, officials told the Star in 2015.

Southwest Key has been operating shelters for years now, especially since 2014, but recently came under more scrutiny for housing the children separated from their parents.

Media reports, including from Texas Monthly and Reveal, have found violations in facilities across the country.

Arizona Department of Health Services officials have surveyed the Tucson shelter four times, including two on-site inspections, since it opened and have found it to be in compliance.

In the last decade, Southwest Key, an Austin-based nonprofit, has received \$1.5 billion from the federal government and will receive at least \$459 million in 2018. The nonprofit says it runs 26 immigrant children's shelters in Texas, Arizona and California.

Based on current trends, Grijalva said, the need to care for immigrant minors is not a passing phenomenon and will continue.

What's needed at the moment, he said, are more resources to speed up reunifications, to resist efforts to overturn the Flores settlement which protects minors, and to get rid of zero tolerance enforcement.

"The separations need to end," he said.

The court agreement known as the Flores settlement has governed the detention of immigrant children since the mid-1980s, limiting the amount of time children can be held in federal detention to 20 days, among other things.

While Grijalva said the real solution to immigration issues lies with something comprehensive, "given the

political firestorm created, I doubt it will happen," he added.

Instead, "we will have to deal with the separations, with DACA, with unaccompanied minors, in isolation of the bigger solution."

Rep. Raúl Grijalva Tours Facility Housing Separated Migrant Kids

[Arizona Republic](#), July 6, 2018

Rep. Raúl Grijalva on Friday toured a facility in Tucson that houses dozens of the thousands of migrant children who have been separated from their relatives under the Trump administration's "zero tolerance" border enforcement policy.

The facility, one of eight shelters operated by Southwest Key that house migrant children in Arizona, has long cared for minors who were alone when they were detained by immigration officials. Outcry over the separation of families under President Donald Trump's policy has drawn new criticism and protesters to the facilities.

"It's clean, but it's still a place kids can't leave," Grijalva told reporters following his tour. The facility currently houses 279 minors, including 79 separated under the "zero tolerance" policy, he said.

Despite touring and talking with Southwest Key employees for more than an hour, Grijalva said he did not get answers on how the reunification process works. The government must reunite all children younger than 5 by Tuesday, and all other minors by July 26.

Grijalva said he was told that in the last week, the facility had reunified just two children with relatives.

"I hoped to learn more about the unification process, the use of the DNA during this whole thing, and the implications of the Flores" settlement, which limits how long the government can hold migrant youth, he said. "Those questions were not answered."

Grijalva added, "The question that was answered was, 'If you have more resources, can you expedite the unification?' They said, 'Absolutely.'"

Members of the news media were not allowed on the tour, and Grijalva was prohibited from taking photos or video or interacting with the children. The rules come from the Office of Refugee Resettlement, which has custody of all separated migrant children and must approve any visit to a facility.

Grijalva said he waited more than a month on approval for the tour, so "I'm assuming I'm seeing the best of" the facility.

"It raises more questions and the believability factor goes down," he said.

The Tucson location is licensed to care for minors 5 through 17 years old. Grijalva said he did not see any babies or toddlers.

Two or three children live together in each room, and are separated by age and gender, Grijalva said. He visited the facility's health care area, counseling center, and a classroom where young teens were learning.

Younger kids were playing outside in a recreation area. Some smiled and said hello. Grijalva said he was told that the average length of a child's stay in the facility is more than 40 days.

He didn't criticize Southwest Key or the facility itself, instead focusing on the Trump administration.

"The place is good, the people are good people," he said.

"The bottom line is the process of unifying these kids with their moms, it's not going to go well, it's not going well," he added. "I don't trust the administration for their numbers. I don't trust the process they're going through. Agencies like this one are caught in the middle, but at the same time the people that are most affected are the moms and the kids that are in here." Many questions unanswered

Grijalva said Southwest Key employees confirmed that they are using DNA testing to match minors with relatives, a practice that has raised questions of consent and privacy.

He was told the facility is trying to expedite reunification but needs more resources, including more staff.

Before and after the tour, Grijalva criticized the secrecy that has shrouded the process.

"This level of paranoia and secrecy does not help the cause," Grijalva said. "If you want to do yourself a favor, end the secrecy."

"I think it would go a lot quicker if this was an open and public process."

Although the facility was nice, he said, "There's an overriding sadness to it.

"It's not as harsh as jail, prison," he said. "But it's a juvenile detention area for the older ones, and for the younger babies, the fact that none of them are with any family or parents, that's the sadness of it all."

Trump's HHS Says Lawmakers Visiting Immigrant Children Create 'Unnecessary Strain'

By Alex Daugherty And Katie Glueck
[McClatchy](#), July 6, 2018

The Department of Health and Human Services is hitting back at members of Congress and their staffs who are trying to see inside facilities that house children

who have been separated from their parents while crossing the border illegally.

U.S. Rep. Carlos Curbelo, a Miami Republican, was barred from visiting the Homestead Temporary Shelter for Unaccompanied Children on Friday even though he tried to set up a visit weeks ago and followed protocols issued by the Trump administration.

When asked why Curbelo was not allowed into the Homestead facility, an HHS spokesperson said requests to visit facilities by members of Congress have created "a significant and unnecessary strain" on staff members working at the facilities.

"More than 50 members of Congress and 60 congressional staffers visited in the month of June alone," HHS spokesperson Evelyn Stauffer said in a statement. "Despite these efforts, there continue to be Members and staff who disregard long-standing policies for visit requests and accommodations, creating significant and unnecessary strain on grantee shelters' staff, whose first and foremost priority is providing for the safety, security, and care of youth at their facilities. President [Donald] Trump has continually called on Congress to fix our nation's broken immigration system, and we encourage members of Congress to focus on long-term solutions to policies that are driving tens of thousands of people to our borders, unaccompanied or otherwise."

Curbelo, who is responsible for oversight and helps set funding levels for federal agencies such as HHS, was appalled by the response.

"I don't feel sorry for them at all," Curbelo said. "We fund all of their operations and all of their salaries, so they should make the time and effort to allow us to see the work they're doing, especially if they're confident in the work they're doing."

Curbelo said his visit had been confirmed with local officials for over a week and that he followed protocols laid out by HHS last month for lawmakers who wish to visit facilities housing immigrant children, making sure that his visit wouldn't be intrusive.

"I was extremely upset given that we had worked for weeks to set this up," Curbelo said. "I didn't go over there and just show up unannounced, I said I'll work through all the channels and make sure that the facility is prepared and that I'm not a distraction to any work being done there, so it was very disappointing."

The Homestead facility, which is thought to host about 1,100 children, was recently reopened after the Trump administration decided to start separating parents from their children when they cross the border illegally. About 70 children at the facility were separated from their parents and some of those children have been

unable to contact their parents. The rest of the children at the facility are unaccompanied minors.

HHS spokesperson Kenneth Wolfe did not respond when asked for an updated account of how many children were at the Homestead facility.

Federal lawmakers did gain access to the Homestead facility two weeks ago after a barrage of media attention and protests. Sen. Marco Rubio and members of the media toured the Homestead facility on June 22, while six members of Congress visited the facility on June 23. Curbelo was unable to visit the facility in his congressional district on either day as he remained in Washington trying to craft an immigration bill, and reached out to HHS to schedule his own visit.

Curbelo's office said it was not given a reason for the denial other than that an HHS staff member from Washington would be unable to make it to South Dade in time for his visit, even though Curbelo's office confirmed the Friday visit a week ago.

Curbelo, who did visit another facility in Cutler Bay that also holds unaccompanied children and children separated from their parents last week, said he will sign onto a bill sponsored by Rep. Debbie Wasserman Schultz, D-Weston, that requires members of Congress to be granted access to immigrant facilities under HHS' umbrella.

Wasserman Schultz and Democratic Sen. Bill Nelson were initially denied entry to the Homestead shelter after Wasserman Schultz's office was made aware of the presence of children at the South Dade facility, which was initially opened during President Barack Obama's administration and then closed until it reopened a few weeks ago.

"If they had a good reason, I'd like to hear it," Curbelo said. "I haven't heard it yet."

Family Reunification Sought For Children Sent To Connecticut

[Associated Press](#), July 6, 2018

NEW HAVEN, Conn. (AP) — Two children separated from their families at the U.S.-Mexico border and detained in Connecticut have been traumatized by the ordeal, according to lawsuits seeking their release and reunification with their families.

The plaintiffs, a 9-year-old boy from Honduras and a 14-year-old girl from El Salvador, are currently housed by an agency in Groton that contracts with the government to hold children in federal custody. The suits were filed in federal court this week by lawyers from a legal services clinic at Yale Law School and Connecticut Legal Services.

A federal judge ruled on June 26 that children separated from families under the Trump administration's zero-tolerance immigration policy must be reunited with their families within 30 days of his order, but advocates say there have been few signs of progress.

"There is no path or plan to reunify those families," U.S. Sen. Richard Blumenthal, a Democrat, said at a news conference Friday on the lawsuits.

The U.S. Justice Department declined to comment on the lawsuits, which name as defendants the attorney general and leaders of other government agencies.

The children in the lawsuits were traveling north with family members to seek asylum from violence in their home countries when they were detained, according to the lawsuits. Since children can't be in jail with their parents, more than 2,300 families caught by Border patrol have been separated under the administration's policy to prosecute anyone caught crossing the border illegally.

The 9-year-old boy, identified in the lawsuit as J.S.R., left with his father after his grandparents were killed and a body was left in the family's backyard in Honduras. The boy was held in freezing conditions with his father in Texas, had his father taken away while he was sleeping and was told falsely that his father was doing paperwork and would return soon, according to the lawsuit.

After his father was taken away, the boy was locked up with other young children for four days, crying constantly for his father. One immigration official told him he was going far away and would not be able to see his father, while another said he would be able to see his father often. Since the separation, the boy has suffered debilitating symptoms of trauma and does not sleep at night, the lawsuit said.

The girl from El Salvador, identified as V.F.B., came to the U.S. after the slaying of her stepfather. She was taken from her mother at a facility in Texas after she was told she was being taken to bathe, according to the lawsuit.

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'A Bunch Of Moms' Help Immigrant Mom Reunite With Separated Children

By Pamela Ren Larson

[Arizona Republic](#), July 6, 2018

Volunteers are working to unite parents and kids separated from "zero tolerance" policy, though they believe it is the government's responsibility to do so.

The people behind an immigrant mother's cross-country trip to reunite with her three children is a group of fellow moms.

In eight days, a grassroots network of volunteers emerged to take Yeni Gonzalez Garcia from an immigrant detention facility in Eloy to New York City, where her kids had been sent to foster care.

The new group Immigrant Families Together is determined to repeat the process until no more families remain separated by the Trump administration's zero-tolerance policy. On July 4, they launched two more campaigns for immigrant mothers detained in Arizona named Amalia and Olga, raising enough money for both women's bonds in a matter of hours.

"Last Wednesday was the first time that I heard the name Yeni Gonzalez," said Meghan Finn, a volunteer who organized a caravan of drivers to bring Gonzalez Garcia across the country. "There's a way to be involved. I'm just a regular person."

Gonzalez Garcia, 30, entered the United States with her three children, fleeing threats from gangs in their home country of Guatemala. Her children, Jamelin, Lester and Deyuin, were separated from her on May 21, two days after their arrival in the United States.

While her kids were in foster care in New York City, Gonzalez Garcia was in immigration detention in Arizona, getting released on bond on June 28. On June 29, a caravan of volunteers began a four-day, cross-country road trip, ending in New York City on Monday night.

Tuesday was the first day Gonzalez saw her kids in 45 days. The family is able to see each other on weekdays at the Cayuga Centers in New York, but it could be up to 60 days until she regains custody of her children.

Leslie Kendall Dye, a freelance writer, helped organize an event welcoming Gonzalez Garcia to New York City on Monday night; her six-year-old daughter helped recruit New Yorkers to attend and hold signs.

Kendall Dye said she got a "kind of a lukewarm" response when she went door-to-door herself to recruit neighbors to join the event.

"People can say 'no' to an adult, but it's a lot harder to say 'no' to a kid," she said.

Dye's daughter made many of the colorful signs that greeted Gonzalez Garcia when she arrived in New York. "Families belong together" — the "g" trailing onto the next line — and "bienvenidos a NYC, Yeni" were a couple of phrases her daughter drew on signs waived by New Yorkers on a sidewalk outside Central Park.

"We're just a bunch of moms," Finn said about the organizing committee.

The core group was “mostly women,” though being a mother was a coincidence, not a requirement, she said.

The 6-Year-Old Heard On Border Facility Audiotape Is...

By Ginger Thompson

[ProPublica](#), July 6, 2018

The last time Cindy Madrid Henriquez, a Salvadoran immigrant, spoke to her 6-year-old daughter Jimena on the telephone, the little girl, who is in an Arizona shelter, began by complaining about having to wash her hair with bar soap instead of shampoo. Her scalp was dry and itchy. She had dandruff. Then her questions grew into fears: What if her hair started to fall out? What if her scalp became infected? When, she finally wailed, was her mother going to come and save her?

Madrid, who is in a detention facility 1,000 miles away in south Texas, said most phone calls with her daughter go that way: a relatively mundane dilemma spirals into a crisis. And there's not much that Madrid can do, except to stay calm and talk her daughter off her emotional ledges.

“She says over and over, ‘Mommy, I want to be with you,’ said Madrid, who is 29. “I tell her, ‘I know. We'll be together soon. Until then, you have to be strong.’”

Those phone calls, on Tuesdays and Thursdays, are what have kept her strong, she said, in the three weeks since immigration authorities separated her from her only child as part of the Trump administration's zero tolerance enforcement policy, which called for criminal prosecutions of all people caught illegally crossing the border — including those, like Madrid, who subsequently request asylum. The pair's plight captivated people around the world when ProPublica released a recording that was secretly made inside a Border Patrol detention facility and captured Jimena's distraught cries for help after agents separated her from her mother.

Her pleas gave voice to the impact the Trump administration's crackdown was having on the more than 2,300 children who were separated from their parents since the policy was officially launched in March — though recent reports indicate that hundreds more families were swept up in a test pilot of the program conducted last year. Mounting political pressure forced the administration to announce that it would stop separating immigrants from their children and reunify those who had already been affected. Still, there's been no relief for those like Madrid and her daughter. On the contrary, her case shows that the retreat from zero

tolerance could be as messy and painful as the launch, as she and other immigrant families seek to be reunited with their children, while pursuing separate claims for asylum. [Read More](#)

The administration's moves — or lack of them — indicate that it doesn't want asylum seekers to have it both ways, despite court rulings ordering them to do so. In scathing terms last week, a federal judge in San Diego issued an injunction against the family separations and instructed the administration to reunite immigrant children with their parents by July 26. Immigration and Customs Enforcement officials have repeatedly asserted that they have a “well-coordinated process,” for fulfilling that order, but so far there's been little sign of it.

Instead the administration remains committed to the goals that inspired zero tolerance in the first place, deterring people from seeking asylum, which it considers a “loophole” that undeserving immigrants use to gain legal entry into the country. The administration has sought to overturn a decades-old ruling that prohibits immigrant children from being detained more than 20 days. Immigrants already living in the United States who are related to the children being held in shelters and express a willingness to care for them are required to assume exorbitant travel costs, and submit to DNA tests, fingerprinting and other background checks without assurances that the information won't be used for other purposes. Border Patrol agents have physically turned away people who present themselves for asylum at ports of entry, saying there isn't enough room to process new petitioners. Meanwhile, immigration judges are setting bonds so high that detainees cannot afford to pay them.

“Their bottom line is they want people to be detained through the asylum process,” said Joan Friedland, a veteran immigration lawyer in New Mexico. “It's the most punitive. It's where people are least likely to have access to a lawyer and prevail. It makes people want to give up their claims and return to their home countries.”

Outside of carefully scripted press calls, officials at ICE, the Department of Homeland Security, and the Department of Health and Human Services rarely answer even the most basic questions from the media about the fate of the parents who have been separated from their children, including how many are still being detained, how many have been deported and how many have been reunified. And when they do answer questions, they offer shifting statistics and rationales.

In a media call Thursday, led by HHS Secretary Alex M. Azar, the administration said that it had some 3,000 children in its care — a much larger number than the 2,057 he reported to Congress last week. Authorities, he said, had not determined how many of those children

had been separated as a result of zero tolerance and how many had simply gotten separated from their parents during their journeys. His agency has brought on an additional 230 people in order to comply with the San Diego court's reunification deadline, he said, although he could not say how many children had been reunited with their parents so far. Last week, Azar told Congress that 500 children had been reunited.

By following Madrid and Jimena, I hoped to track the process and its impact on those going through it. But even that's come up against arbitrary rules and resistance. Over the past week, I have made several attempts to visit Madrid. After agreeing to meet with me over the phone, Madrid declined my official request. She subsequently wrote and signed two letters saying she had made a mistake and expressing an interest in seeing me. But when I shared those letters with ICE officials in Texas, they refused to process a new request. In an email, spokesman Carl Rusnok accused me of "badgering" Madrid, and wrote, "For our already EXTREMELY busy ICE officers to repeatedly ask the same individual about a request from the same media outlet might be construed as coercive."

As a result, I've only been able to speak with Madrid by telephone, which as anyone who has had to rely on detention center phones knows, is a flawed and stressful alternative. For unclear reasons, the sound quality of the calls is terrible: Madrid sounds as if she's speaking from space — with a blanket muffling random words. I know I miss key phrases and must constantly ask her to repeat herself. I can't read her body language. She can't read mine. And the human connection that allows a journalist to gain an understanding of a person's background and outlook is impossible. It's a deeply frustrating experience for both of us. Worse, I imagine, are Madrid's calls with Jimena.

Madrid says she's been an emotional wreck since the moment her daughter was taken away from her. Her agony only increases as days pass without answers about if and when she and Jimena will be reunited, or even updates on how her daughter is doing. Is she eating well? How's she sleeping? She hasn't slept alone her entire life. She's always slept in a bed with her mother or grandmother.

"In six years, I had only been away from her for two nights," Madrid said. "And each time, she made me promise never to be away from her again. She hated it. We are incredibly close."

Would she have made the trip if she had known she'd be separated from her daughter? "No," she said, "I wouldn't have come."

But Madrid said staying in El Salvador wasn't an option either. In an affidavit that is part of her asylum

petition, she wrote that earlier this year a Salvadoran gang leader shot and killed her boyfriend while she was walking hand-in-hand with him. The gang member threatened to kill Madrid too unless she kept quiet, she said. She said she reported the murder to police anyway, but the gang member was never arrested.

The affidavit said that Madrid observed police officers and the gang members "talking and hanging out like old friends."

Weeks after the murder, Madrid said, the gang member responsible approached her and Jimena in a market. She said he threatened to kidnap her daughter if he ever saw them again.

"We didn't leave the house after that," Madrid said. "When a gang member says something like that, they are not playing around. We were terrified."

Madrid decided to take Jimena to the United States, where Madrid has two sisters, and Jimena has four beloved cousins. On their first try in April, they made it all the way to northern Mexico, where there is rampant cartel violence. She and Jimena were intercepted by Mexican authorities and deported back to El Salvador. They set out again in May and rafted across the Rio Grande into Texas in mid-June.

"It was a long, hard trip," Madrid said. "But Jimena behaved really well. All her cousins are in the United States. She was really happy about coming to live with them."

Madrid said they had no idea they were walking into zero tolerance. One of her sisters had immigrated to the United States a couple of years ago, also fleeing gang violence. That sister was only separated from her daughter for a few hours, while she pleaded her case in court. And then mother and daughter were released on bond. Madrid told her attorney, Thelma O. Garcia, that she thought that's what was happening when a Border Patrol agent took Jimena away.

"Jimena was screaming for her mother," Garcia said Madrid told her. "When Cindy asked what was happening, the agent told her not to worry. He was only taking Jimena while Cindy went to court. They would only be separated a few hours. Now we know that was a lie."

Garcia said that authorities have begun reviewing Madrid's asylum claim to determine whether her fears of persecution are credible. The attorney said that when she first met with Madrid, it was hard getting her to focus on the incidents that drove her to flee El Salvador. "Her only concern was her daughter, and what needed to do be done to reunite them as quickly as possible," Garcia said. "The rest didn't seem to matter."

Weakening Madrid's case further, Garcia says, is that her and Jimena's asylum claims are moving along

on separate tracks before separate judges who will decide whether their claims merit a full hearing. Madrid has heard about numerous other parents whose claims have been denied and who have been deported without their children. She's worried the same could happen to her.

"I don't want to leave without my daughter," she said.

While their claims are under review, however, Madrid wants her daughter released from the shelter into her sister's care in Houston. Her attorney said authorities are reviewing the request, but have not indicated when that might happen.

In the meantime, Madrid takes comfort from the dozens of other mothers in the same situation in the Port Isabel Detention Center. There are 75 women in her barracks, she said. And she's grown close to some of them. They trade advice they've gotten from their lawyers to prepare for the so-called "credible fear" interviews that are part of asylum cases. They share cakes and fruit that come in occasional care packages. And they talk about their phone calls with their children. "At night you can hear many of us crying ourselves to sleep," she said.

Madrid says she tries not to cry when she speaks with Jimena. And she's come up with a trick to keep Jimena from crying, too: coloring books. Madrid said she told Jimena she's begun coloring pictures that she'll either send to her daughter in the mail, or hold onto until they see one another. She asked Jimena to do the same. On the phone, they talk about their latest works of art.

Madrid says she's working on a picture of a doll with brown skin. She's wearing a pink dress with yellow trim, and a crown of orange flowers. Jimena is coloring a picture of two bears embracing one another, surrounded by a heart.

"It makes her happy to feel we're working on a project together," Madrid said of her daughter. "It keeps us connected, for now."

Most Americans Oppose Key Parts Of Trump Immigration Plans, Including Wall, Limits On Citizens Bringing Family To U.S., Poll Says

By Dan Balz And Scott Clement
[Washington Post](#), July 5, 2018

Americans overwhelmingly oppose the Trump administration's now-rescinded policy of separating immigrant children from their parents, and smaller majorities also disagree with the president's call to build a wall on the U.S.-Mexico border and to restrict legal

immigration by limiting citizens from bringing parents and siblings to this country, according to a new Washington Post-Schar School poll.

On other aspects of the immigration debate, however, a more mixed picture emerges. Americans are more closely divided on the question of whether enough is being done to prevent illegal immigration and whether the country has gone too far in welcoming immigrants. Also, more people say they trust President Trump than congressional Democrats to deal with the issue of border security. The support for Trump on the border security issue is especially evident in congressional districts considered key battlegrounds in this fall's midterm elections.

Democrats appear more energized than Republicans about the fall elections, especially in battleground districts. Among Democrats and Democratic-leaning independent voters in those districts, 59 percent say the midterms are extremely important, compared with 46 percent of Republicans and Republican-leaning independents. Overall, registered voters say they prefer to vote for a Democrat over a Republican for the House, 47 percent to 37 percent. The margin on that question is not statistically larger in battleground districts, standing at 12 percentage points.

The nation remains deeply divided along party lines, as it has throughout and before Trump's presidency. Two other divisions define the political environment of 2018. On issues of immigration, as well as questions about Trump's presidency, the gaps between men and women and between white voters with and without college degrees are sizable. Women and white college-educated voters are far more dissatisfied with the president and his policies than are men and white voters without college educations. However, gaps based on education are less significant in battleground districts.

Trump's overall approval stands at 43 percent, while his disapproval is 55 percent. Among men, 54 percent approve; among women, 32 percent approve.

His handling of immigration draws slightly higher disapproval, with 39 percent approving and 59 percent disapproving. More than twice as many say they strongly disapprove as say they strongly approve. Among men, 51 percent disapprove, but among women, 67 percent disapprove. Among whites with college educations, 68 percent disapprove, but among non-college whites, 56 percent approve.

Trump's best numbers come on the economy: 50 percent approve, while 48 percent disapprove. Majorities nationally and in both battleground and non-battleground districts rate the economy as excellent or good. Men are far more positive than women — 26 points more likely to

approve of his handling of the economy and 13 points more likely to rate the economy positively.

On trade issues, the public sides with the president on one key question: whether America's long-term trading partners have taken advantage of this country. By 52 percent to 43 percent, Americans agree with Trump rather than saying the nation's partners trade fairly. In battleground districts, the margin is slightly larger. But even in agreeing with the president on that question, Americans show little support for his aggressive trade policies, such as his calls for tariffs on a variety of products that have rattled financial markets and angered U.S. allies.

Barely 4 in 10 Americans, 41 percent, approve overall of Trump's handling of the trade issue. On two other questions — how his trade policies will affect jobs in the United States and the cost of products here — majorities of Americans say the impact will be bad rather than good. Nearly 3 in 4 say the impact on the cost of products will be bad.

The survey, sponsored by The Post and the Schar School of Policy and Government at George Mason University, was conducted by NORC at the University of Chicago between June 27 and July 2 online and by phone. The survey drew from the firm's probability-design AmeriSpeak panel, interviewing a total of 1,473 adults, including 865 who live in one of 58 congressional districts classified by the Cook Political Report as "toss-up" or "leaning" toward one party.

The survey looked at a variety of aspects of the immigration debate, which has been front and center since the outcry over the separation of immigrant children from parents who were detained after coming across the border.

On immigration, almost 7 in 10 (69 percent) say they opposed the policy that separated immigrant children from their parents, compared with 29 percent who supported the policy. About 6 in 10 Republicans supported it.

Trump's decision to reverse the policy drew widespread support, with three-quarters of Americans backing that decision. Asked about what to do now, a majority of Americans say they want families detained together rather than temporarily released until their court appearances and possible deportation.

The vivid imagery of the children contributed to the backlash that forced Trump to reverse course. About 3 in 4 say they were bothered by the photos and stories about children being held separately from their parents, and nearly half of all Americans — including 6 in 10 women — said they were bothered a lot.

But as to who is to blame for families being separated, the public is more divided, with 37 percent

saying the Trump administration bears responsibility, 35 percent saying the blame goes to migrant families trying to enter the United States, and 25 percent saying both are equally to blame. A 41 percent plurality of women blame the Trump administration, while a 43 percent plurality of men blame migrants.

Trump's suggestion that U.S. immigration policy has become a magnet for criminals and gang members is rejected by most Americans. Roughly 4 in 10 say the biggest reason most people enter illegally is to flee danger in their own countries, with another 4 in 10 saying they are drawn because of economic opportunities. Just 6 percent nationally say most people enter as part of the drug trade or gangs.

A plurality of Americans (48 percent) say that this country's history of welcoming immigrants has been mainly good, while 4 in 10 say it has been both good and bad and 11 percent say it's been mainly bad. As to whether immigration has gone too far, Americans are divided into three almost equal groups, with about a third saying it has gone too far, a third saying it has not gone far enough, and almost a third saying the right balance has been struck.

A bare majority (51 percent) say the United States is doing enough to keep illegal immigrants from coming into the country, compared with 46 percent who do not. But that bare majority who feel enough is being done is considerably higher than it was during the first decade of this century. The overall results mask deep differences between the parties, with 2 in 3 Democrats saying enough is being done, while just 1 in 3 Republicans agree.

Of the different policies measured in this poll, large majorities of Americans support allowing young immigrants who arrived as children and met certain requirements to remain (84 percent); a pathway to legal status for undocumented immigrants living here if they pass a background check (81 percent); requiring employers to verify their hires are in the United States legally (78 percent); and more funding for border security (65 percent). Majorities of Democrats, Republicans and independents agree with those policies.

On the policies that Americans oppose — the child separation policy, building the border wall and restricting legal immigration — majorities of Republicans favor them, in contrast to majorities of Democrats and independents who oppose them.

More broadly, Democrats in Congress lead Trump when it comes to whom voters trust to handle immigration by a 38 percent to 30 percent margin, with 24 percent trusting neither. But on border security, Trump holds a 10-point edge over Democrats, which balloons to 17 points in congressional battleground districts.

Immigration is seen by voters as one of the three most important issues in this fall's congressional elections, along with jobs and the economy and health care. Immigration is cited by 19 percent of voters, jobs and the economy by 24 percent, and health care by 20 percent. Republicans hold a narrow 47 percent to 40 percent advantage in support among immigration-focused voters; that finding suggests this could be an issue that motivates the GOP base in November.

Gun laws, which some Democrats hope will motivate their voters in November, rank fourth at 14 percent, while taxes, an issue the GOP is counting on, along with the economy, to prevent substantial losses rank fifth at 8 percent.

As with immigration policy, there were clear partisan differences: Among Democrats, the top three issues are health care, guns and the economy. Republicans rank immigration and the economy in a virtual tie at the top, with health care, taxes and guns bunched together but far behind the top two.

The survey also asked about other aspects of the Trump presidency. More people say they will vote in November to show opposition to Trump (37 percent) than say they will be trying to show support for him (25 percent), while 36 percent say he will not be a factor.

Asked whether Republican candidates in general are too supportive or too critical of the president, voters say, 51 percent to 21 percent, that the GOP candidates have been too supportive, with the remainder saying the candidates are striking the right balance. Almost half say Democrats running for Congress are too critical of Trump — and that rises to a slight majority in battleground districts.

Two in 3 Americans say the president tells the truth only some of the time or hardly ever, a finding consistent across battleground and non-battleground districts. More than one third of all Americans say he hardly ever tells the truth.

Nearly half of all Americans (48 percent) say that, regardless of their personal feelings about the president, they think he is doing more to damage important values. Not quite 4 in 10 (37 percent) say he is doing more to protect those values.

The nation is closely divided in its view of the investigation into Russian interference in the 2016 election and possible ties between Trump campaign officials and the Russian government. Currently, 49 percent approve of the way special counsel Robert S. Mueller III is handling the investigation, while 45 percent disapprove.

Those divisions extend to the question of whether Trump officials colluded with the Russians. The percentages saying that this is a serious issue and that it

is more of a distraction are identical — 48 percent apiece. But the responses on all of the Mueller questions were highly partisan, with strong majorities of Democrats supporting the special counsel and the investigation and equally strong percentages of Republicans opposing them.

The margin of sampling error for overall survey results is plus or minus five percentage points.

Emily Guskin contributed to this report.

For Thousands Of Migrant Children, Shelters Are Becoming Makeshift Schools

By Dana Goldstein And Manny Fernandez
[New York Times](#), July 6, 2018

Felicia Baez teaches English as a second language at a shelter in South Florida where anywhere from 30 to 100 migrant children in federal custody live at one time. Most stay about two months, but some leave after only a few days.

"It's always like the first day of school," Ms. Baez said of the turnover at the shelter, His House Children's Home, in the suburb of Miami Gardens. And the wide range of academic ability among her students — some haven't been in a classroom in years, while others graduated from high school in their home countries — means she is constantly making adjustments.

These are just some of the challenges of educating the thousands of migrant children now housed in youth shelters and family detention centers across the country.

Federal law requires that all children on American soil receive a free public education, regardless of their immigration status. As the Trump administration expands the number of people detained at the border, shelters and detention facilities are ramping up their roles as makeshift schools, teaching English and civics classes, offering cooking lessons and setting up field trips to art museums.

But according to lawyers and educators with firsthand knowledge of the child detention system, the education offered inside the facilities is uneven and, for some children, starkly inadequate.

Teachers at the schools are sometimes not state-certified as teachers, according to these accounts. Some shelter instructors cannot communicate effectively in Spanish, and in other cases the curriculum is so limited and classes are so wide-ranging in age groups that students seem bored and disengaged.

Daniela Marisol, a 16-year-old migrant from Honduras, has been held at a series of shelters since August. She has not been able to fully participate in classes because she is partly deaf and has not received hearing aids, said Holly Cooper, a lawyer representing

Daniela and other migrant children in a class-action suit against the Trump administration.

Leecia Welch, another lawyer for the plaintiffs, said children held at the Shiloh Treatment Center in Manvel, Tex., had been so heavily dosed with psychiatric drugs, purportedly to treat such ailments as depression and anxiety, that they fell asleep at classroom desks for hours at a time.

"You can only imagine the children surrounding them, how that impacts their education," she said. The management at Shiloh declined to comment about its education programs.

At the largest migrant youth shelter in the country — a former Walmart in Brownsville, Tex., where the nonprofit Southwest Key Programs houses and educates 1,500 boys aged 10 to 17 — officials made it a point to show off the facility's classrooms on a media tour in June.

Parts of the shelter resembled a typical school: brightly lit, white-walled rooms with white boards and rows of desks, and long hallways decorated with elaborate murals. One hallway displayed a giant construction paper cutout of a tree — an illustration of the three branches of government. Part of the curriculum at the shelter at the time focused on American civics and government, to coincide with the Fourth of July holiday, but there seemed to be a permanent emphasis on American patriotism and geography.

One wall in the cafeteria showed a map of the country, with the outlines of the states in bold colors. Elsewhere, the walls were emblazoned with images and quotations in Spanish and English from American presidents, from Lincoln to Trump.

The Southwest Key officials on the tour were proud of the shelter's educational focus. But there are more than 100 facilities across the country where migrant children are detained — some run by nonprofits such as Southwest Key, others by private prison companies and government agencies — and the overall quality of the education they provide largely remains a mystery because much of what happens in the shelters is rarely seen by the public.

At Berks County Residential Center, an ICE facility in Pennsylvania, there are two classrooms, one for children aged 2 to 11 and another for children 12 to 18, according to Eleanor Acer, of the nonprofit Human Rights First. Ms. Acer, who has visited the center several times, said that the wide age span left the older children in each group bored, and that much of the instruction was done through computers and worksheets.

She added that some teachers were unable to communicate effectively in Spanish, and that classes

cycle through the curriculum every two weeks, meaning students who stay longer repeat the same material.

"The impression is that they are not really taught much of anything," Ms. Acer said.

Adrian Smith, a spokesman for ICE, said that teachers at Berks are either certified in English as a second language or working toward such a certification. Children are grouped across age ranges, he said in a written statement, because of the "varying academic abilities of students."

In general, federal immigration officials say that their contracted facilities are complying with federal requirements to provide at least five hours a day of instruction at facilities overseen by ICE and six hours a day at shelters operated by the Department of Health and Human Services.

Mark Weber, a spokesman for the department, said he could not comment on the cases of individual children detained in the agency's shelters. Since 2002, the department has provided migrant children with "quality and age-appropriate care and a speedy and safe release to a suitable sponsor," he said in an email.

The Times reached out to several shelter contractors to discuss their education services, but many declined to comment, including Shiloh Treatment Center and two of the biggest providers, Southwest Key and BCFS.

Should the Trump administration succeed in its attempts to hold migrant parents and children for longer periods of time, rather than releasing them as their cases make their way through the immigration courts, it will create more pressure on the schools within these facilities, and perhaps require them to provide more sophisticated services.

"The right thing to do is to get the kids out quicker," said Bob Carey, who served under President Barack Obama as the director of the Office of Refugee Resettlement, the health department agency that administers the migrant shelters. Educators, he added, have to weigh their desire to help detained children against the knowledge that detention itself could have a detrimental impact on children's academic growth and emotional health.

"If you're a social worker or educator, you have professional ethical standards," Mr. Carey said. "Now you're party to a process, seeing children traumatized by your own government."

A 1997 agreement between the federal government and advocates for immigrant children, known as the Flores settlement, specifies what education should look like for children in detention: instruction in the English language, science, math, social studies, reading, writing and physical education.

According to Health and Human Services guidelines, all residents of the children's shelters, most of which are managed by independent social service agencies, should receive an educational assessment within 72 hours of arriving, and have access to schooling that takes into account their "linguistic ability" as well as "cultural diversity and sensitivity."

ICE standards say children held at family detention centers should have a curriculum and state-certified teachers essentially identical to those at a regular public school. The standards say children should be assessed for disabilities and have access to translation services.

Advocates for migrant children say these requirements are not consistently met. Yet some who work in the system say they are proud of what they are able to accomplish, given the many hurdles. One such person, who asked not to be identified because the government has discouraged public comments, said systems are in place to ensure migrant youths receive at least six hours of instruction per day, with real-time, detailed case logs for each child. Any child's missed instruction time, such as for a medical issue, must be cataloged and justified.

At St. Peter-St. Joseph Children's Home in San Antonio, migrant students are assessed for special educational needs and rotate through seven different classrooms, receiving instruction in all the major academic subjects, said Reynaldo Acosta, vice president of programs at the shelter. They have had guest lessons on cooking and aviation, and took a field trip to a local bakery. They leave the program with the academic transcript and identification paperwork necessary to enroll in public school.

The shelter is affiliated with Catholic Charities, which contracts with the federal government, but the school is managed by the University of Texas Charter School system. All the teachers are fluent in Spanish, according to Mr. Acosta. They teach both the migrant children and, in separate classes, children who are in the custody of the State of Texas. Many organizations housing detained migrant children also work with children in state foster care systems.

In South Florida, the schools in two shelters that house migrant children are managed by the local public school system — an atypical arrangement. One of the shelters is His House Children's Home, where Ms. Baez teaches. The Miami-Dade County school district receives state funding to educate the detained students, and the teachers and counselors at the shelters are state certified, said Alberto Carvalho, the Miami-Dade superintendent.

Ms. Baez said that as of early June, when she left for summer vacation, all her students had crossed the

border as unaccompanied minors; none were among those forcibly separated by immigration authorities from their parents.

She takes her students on several field trips each year, to museums, the aquarium and the zoo.

And despite the challenges of teaching there, most teachers at the home considered it one of the best jobs they had ever had, she said: "The kids are very responsive, very glad to be in school learning and very eager to learn English."

APNewsBreak: US Army Quietly Discharging Immigrant Recruits

By Martha Mendoza And Garance Burke

[Associated Press](#), July 6, 2018

SAN ANTONIO (AP) — Some immigrant U.S. Army reservists and recruits who enlisted in the military with a promised path to citizenship are being abruptly discharged, the Associated Press has learned.

The AP was unable to quantify how many men and women who enlisted through the special recruitment program have been booted from the Army, but immigration attorneys say they know of more than 40 who have been discharged or whose status has become questionable, jeopardizing their futures.

"It was my dream to serve in the military," said reservist Lucas Calixto, a Brazilian immigrant who filed a lawsuit against the Army last week. "Since this country has been so good to me, I thought it was the least I could do to give back to my adopted country and serve in the United States military."

Some of the service members say they were not told why they were being discharged. Others who pressed for answers said the Army informed them they'd been labeled as security risks because they have relatives abroad or because the Defense Department had not completed background checks on them.

Spokespeople for the Pentagon and the Army said that, due to the pending litigation, they were unable to explain the discharges or respond to questions about whether there have been policy changes in any of the military branches.

Some immigrant U.S. Army reservists and recruits who enlisted in the military with a promised path to citizenship are being abruptly discharged, the AP has learned. An immigration attorney said she's been inundated by recruits. (July 5)

Eligible recruits are required to have legal status in the U.S., such as a student visa, before enlisting. More than 5,000 immigrants were recruited into the program in 2016, and an estimated 10,000 are currently serving.

Most go the Army, but some also go to the other military branches.

To become citizens, the service members need an honorable service designation, which can come after even just a few days at boot camp. But the recently discharged service members have had their basic training delayed, so they can't be naturalized.

Margaret Stock, an Alaska-based immigration attorney and a retired Army Reserve lieutenant colonel who helped create the immigrant recruitment program, said she's been inundated over the past several days by recruits who have been abruptly discharged.

All had signed enlistment contracts and taken an Army oath, Stock said. Many were reservists who had been attending unit drills, receiving pay and undergoing training, while others had been in a "delayed entry" program, she said.

"Immigrants have been serving in the Army since 1775," Stock said. "We wouldn't have won the revolution without immigrants. And we're not going to win the global war on terrorism today without immigrants."

Stock said the service members she's heard from had been told the Defense Department had not managed to put them through extensive background checks, which include CIA, FBI and National Intelligence Agency screenings and counterintelligence interviews. Therefore, by default, they do not meet the background check requirement.

"It's a vicious cycle," she said.

The AP interviewed Calixto and recruits from Pakistan and Iran, all of whom said they were devastated by their unexpected discharges.

"Now the great feeling I had when I enlisted is going down the drain," said Calixto, 28. "I don't understand why this is happening."

In hopes of undoing the discharge, he filed a lawsuit in Washington, D.C., last week alleging the Defense Department hadn't given him a chance to defend himself or appeal. He said he was given no specific grounds other than "personnel security."

Calixto, who lives in Massachusetts and came to the U.S. when he was 12, said in an email interview arranged through his attorney that he joined the Army out of patriotism.

In the suit, Calixto said he learned he was being kicked out soon after he was promoted to private second class.

The Pakistani service member who spoke to the AP said he learned in a phone call a few weeks ago that his military career was over.

"There were so many tears in my eyes that my hands couldn't move fast enough to wipe them away," he

said. "I was devastated, because I love the U.S. and was so honored to be able to serve this great country."

He asked that his name be withheld because he fears he might be forced to return to Pakistan, where he could face danger as a former U.S. Army enlistee.

Portions of the 22-year-old's military file reviewed by the AP said he was so deeply loyal to the U.S. that his relationships with his family and fiancee in Pakistan would not make him a security threat. Nonetheless, the documents show the Army cited those foreign ties as a concern.

The man had enlisted in April 2016 anticipating he'd be a citizen within months, but faced a series of delays. He had been slated to ship out to basic training in January 2017, but that also was delayed.

An Iranian citizen who came to the U.S. for a graduate degree in engineering told the AP that he enlisted in the program hoping to gain medical training. He said he had felt proud that he was "pursuing everything legally and living an honorable life."

In recent weeks, he said, he learned that he'd been discharged.

"It's terrible because I put my life in the line for this country, but I feel like I'm being treated like trash," he said. "If I am not eligible to become a U.S. citizen, I am really scared to return to my country."

He spoke on condition of anonymity because of those fears.

It's unclear how the service members' discharges could affect their status as legal immigrants.

In a statement, the Defense Department said: "All service members (i.e. contracted recruits, active duty, Guard and Reserve) and those with an honorable discharge are protected from deportation."

However, immigration attorneys told the AP that many immigrants let go in recent weeks were an "uncharacterized discharge," neither dishonorable nor honorable.

The service members affected by the recent discharges all enlisted in recent years under a special program aimed at bringing medical specialists and fluent speakers of 44 sought-after languages into the military. The idea, according to the Defense Department, was to "recognize their contribution and sacrifice."

President George W. Bush ordered "expedited naturalization" for immigrant soldiers in 2002 in an effort to swell military ranks. Seven years later the Military Accessions Vital to the National Interest program, known as MAVNI, became an official recruiting program.

It came under fire from conservatives when President Barack Obama added DACA recipients — young immigrants who were brought to the U.S. illegally — to the list of eligible enlistees. In response, the military

layered on additional security clearances for recruits to pass before heading to boot camp.

The Trump Administration added even more hurdles, creating a backlog within the Defense Department. Last fall, hundreds of recruits still in the enlistment process had their contracts canceled. A few months later, the military suspended MAVNI.

Republican Congressman Andy Harris of Maryland, who has supported legislation to limit the program, told the AP that MAVNI was established by executive order and never properly authorized by Congress.

"Our military must prioritize enlisting American citizens, and restore the MAVNI program to its specialized, limited scope," he said.

Non-U.S. citizens have served in the military since the Revolutionary War, when Continental soldiers included Irish, French and Germans. The U.S. recruited Filipino nationals to serve in the Navy in the 1940s, and worked to enlist Eastern Europeans in the military over the next decade, according to the Defense Department.

Since Sept. 11, 2001, nearly 110,000 members of the Armed Forces have gained citizenship by serving in the U.S. military, according to the Defense Department.

Many service members recruited through the program have proven to be exemplary. In 2012, then-Sgt. Saral K. Shrestha, originally from Nepal, was named U.S. Army Soldier of the Year.

In general, the immigrant recruits have been more cost-effective, outperforming their fellow soldiers in the areas of attrition, performance, education and promotions, according to a recently released review by the RAND Corporation, a nonprofit research institution.

The AP spoke with a 26-year-old woman from Dominica who said she proudly enlisted in the immigrant recruitment program in 2016 while earning her nursing degree. She said she drilled each month with her reserve unit, which gave her an award, and had been awaiting a date to start basic training.

But in March, she said she looked up her profile on an Army portal and saw that the section about her security eligibility was marked "loss of jurisdiction," with no further explanation. The next month, her attorney said she found the reservist's name listed as "unsuitable" on a spreadsheet created by the Defense Department.

The reservist, who spoke on condition of anonymity because of concerns about her legal standing, said she received additional paperwork last month that indicated her case is awaiting a final decision.

"I have always been a good soldier and have always done what they ask me to do," she said. "I got into debt when I joined the Army because I can't work legally but, financially, I can't survive anymore. I don't

want to give up because I genuinely like being in the Army. But I don't know who to turn to."

In recent years, a group of attorneys have been fighting to keep their recruited immigrant clients eligible for naturalization as delays have mounted. Some have been successful, including nearly 50 recruits granted a type of temporary status while their background investigations are being completed.

"Some of our clients have finally emerged through the system and at least are doing basic training," said Donald Friedman, a Washington attorney with Perkins Coie.

Burke reported from San Francisco.

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They Came Here To Serve. But For Many Immigrants, The Army Isn't Interested.

By Dave Philipps

[New York Times](#), July 6, 2018

Recruit Zhang, an immigrant from China, joined the United States military on the promise that enlisting would lead to American citizenship. He swore an oath to uphold the Constitution and was handed an Army T-shirt. But, after two years of delays, there came a sudden discharge that has left him reeling.

"They just said one word: I was 'unsuitable,'" said the 30-year-old, who has a wife and child and a business management degree. He asked that only his last name be used. "I came here legally, made an agreement to stay legally, and they have not kept the agreement."

A growing number of foreign-born recruits who joined the United States military through a special program created to recruit immigrant troops with valuable language and medical skills are being terminated before they can qualify for citizenship. Lawyers for the recruits say at least 30 have been discharged in recent weeks and thousands more are stuck in limbo — currently enlisted but unable to serve — and may also be forced out.

They are being cut even as the Army has been unable to meet its 2018 recruiting goals.

Mr. Zhang's parents, a factory worker and a city official in southeast China, sold their house to support him while he waited two years to be called to boot camp. Now he may be deported, and worries he could be punished by the Chinese government for enlisting in a foreign army.

"There's no explanation for this except xenophobia," said Margaret D. Stock, a retired Army

Reserve lieutenant colonel and immigration lawyer who helped create the program. Known as the Military Accessions Vital to the National Interest or Mavni, the program, created during the George W. Bush administration, allows legal, nonpermanent resident immigrants to join the military and get fast track citizenship.

More than 10,000 troops have joined the military through the program — almost all of them in the Army. At its start, the Army touted its foreign recruits, holding naturalization ceremonies with top brass in places like Times Square. But in recent years the Defense Department has tightened regulations, and thousands have been caught up in extra layers of security vetting. Increased scrutiny for the program began in the last months of the Obama administration over national security concerns.

To screen out possible terrorist or espionage threats, the military requires extensive background checks that have grown more complex in the last two years. The C.I.A. and F.B.I. do background checks, and screenings include criminal history and credit, a review of at least a decade of finances, an exhaustive questionnaire and numerous lengthy interviews. Relatives, employers and neighbors are also interviewed.

The layers of clearance have grown so complex that a backlog of several thousand cases has piled up. A Defense Department official testified in a recent deposition that it would take 10 years to clear those currently waiting to serve.

"We were told they didn't have the resources to go through all the investigations," said Robin Jung, a South Korean immigrant and college student who enlisted through the program. In 2014, his brother went through the program and was given citizenship in just a few months. Mr. Jung has been waiting two years.

A number of recruits have filed lawsuits claiming the delays and denials violate constitutional guarantees of equal protection.

The Defense Department responded to interview requests about the delays and increase in the number of discharges with a short statement, saying that any recruit, including those recruited through the Mavni program, "who receives an unfavorable security screening is deemed unsuitable for military service and is administratively discharged. Each recruit undergoes an individualized suitability review and the length of time for the review is dependent upon each individual's unique background."

So far, though, recruits in the 10-year-old program have not posed an undue security threat, according to a 2017 report by the RAND Corporation. The report, which

was never officially released, found that the program's recruits were generally better educated and better performing than the average enlisted soldier. It also found that there had been no instances of terrorism or espionage connected to an immigrant recruit.

Before the Vietnam War, all legal immigrants could enlist regardless of permanent status, and throughout American history a large slice of the troops who fought the nation's battles have been immigrants, from Lt. Col. Alexander Hamilton to the more than 700 immigrants who have been awarded the Medal of Honor.

Still, very few recruits have made it through the vetting process in the last two years, Ms. Stock said. They are kept waiting, unable to work civilian jobs or go to basic training and start their military careers.

In the past two months, lawyers have seen a stark uptick in troops getting discharged after being notified they have failed background checks. Ms. Stock said it could be a result of an effort to clear the backlog.

Recruits say they are not told why they failed background checks and have no way to appeal.

One Pakistani immigrant, worried about the long wait, was able to get his security report in May through a Freedom of Information Act request. The report noted the immigrant, an electrical engineering student recruited to repair generators, had dreamed of moving to the United States since he was 5, and had an American flag cover on his cellphone.

The recruit, the report stated, "has such a deep and longstanding loyalty to the U.S., that he can be expected to resolve any conflict of interest in favor of the U.S."

"I jumped for joy, I was literally dancing when I read this because I knew there would be no problem," said the recruit, who asked not to be named because he fears he could be harmed in Pakistan if he is deported.

In June he was told he had failed his security background check and was being discharged.

"I cried," he said. "I feel like I have been kicked out of my own home."

Private Second Class Lucas Calixto, a Brazilian immigrant who moved to the United States with his parents when he was 12, was discharged this spring after enlisting in the Army Reserve two years ago.

Since enlisting, he had been going through drills regularly in Massachusetts, where his unit had supported him, he said.

In June he was abruptly discharged for "personnel security," according to a form. He was given no other explanation.

Last week he sued the Defense Department in federal court, saying the discharge, with no warning and

no explanation, violated department regulations and “the fundamental requirements of due process.”

“It was my dream to serve in the U.S. military. Since America has been so good to me, I wanted to give back and serve in the United States Army,” Private Calixto said in an email. “I know this is not coming from my military unit. They have been very nice to me. It seems as if the decision is being made by higher-ups who don’t know me and are just trying to complicate things.”

An earlier version of this article missstated the number of years a Defense Department official testified it would take to clear those currently waiting to serve. The official said it would take 10 years, not 50.

NPR Reporter Rips Apart AP's Story On Immigrants In The Military

By Neetu Chandak

[Daily Caller](#), July 6, 2018

National Public Radio reporter Tim Mak took apart the Associated Press's coverage of discharged immigrant military recruits in multiple tweets Friday.

The AP's article, “AP NewsBreak: US Army quietly discharging immigrant recruits,” framed the military as adopting policy changes that hurt immigrants, according to Mak.

However, Mak criticized the AP for only providing “hints and anecdotes” instead of evidence that the Trump administration made such changes.

“If I was the editor on this story I would have asked for more meat on the bones,” tweeted Mak. “Show me evidence of a change in policy.”

While the AP framed immigrants as being unfairly and abruptly targeted by the military, Mak said discharges happen frequently for a variety of reasons.

“I bet I could find 40 recruits discharged bf basic [sic] for being too fat,” he said.

“Perhaps these immigrant recruits could not pass a background check (by the way, there are jobs in the military that don’t require clearance),” Mak said in another tweet.

The AP admitted the immigrant military recruits neither attended basic training nor went through extensive background checks. Several were also considered “as security risks because they have relatives abroad or because the Defense Department had not completed background checks on them.”

Many of the immigrant recruits were part of Military Accessions Vital to the National Interest (MAVNI), a program aimed to help interested immigrants enroll in the military. The program was started in 2009 and

recruits needed to prove legal status as citizens or immigrants.

However, the program was expanded to Deferred Action for Childhood Arrivals (DACA) — children brought to the U.S. illegally — in 2016 under the Obama administration. The expansion to DACA recipients complicated and elongated the background check requirement.

About 5,000 immigrants were recruited into MAVNI in 2016 and nearly 10,000 are currently serving. Immigrants enlisted for multiple reasons, including patriotism, the desire for citizenship and financial purposes, according to the AP report.

Maryland Republican Rep. Andy Harris said tightening the standards would better benefit Americans.

“Our military must prioritize enlisting American citizens, and restore the MAVNI program to its specialized, limited scope,” he told the AP.

Mak cautioned that while he took issue with the AP not establishing evidence for policy change, he did not want his criticisms of the AP to “say there is no problem.”

“Two things can be true: the Army needs immigrant recruits and they are proven to be above average troops,” he said. “Also some of those who enlist as immigrants will not meet the background check standards and will have to be discharged.”

No, President Trump Is Not Purging The Military Of Immigrants

By Jeff Schogol

[Task & Purpose](#), July 6, 2018

The Department of Defense is strongly disputing a recent article by the Associated Press that suggests the United States Army has begun purging its ranks of non-U.S. citizens as the Trump administration ramps up efforts to crack down on illegal immigration.

The July 5 article centers on the plight of immigrant recruits attempting to enter the military through the Military Accessions Vital to the National Interest (MAVNI) program, which was launched in 2008 to attract more recruits with critical skills such as doctors, nurses, and those who speak strategically valuable languages like Chinese, Dari, Farsi, and Russian by offering them an expedited path to citizenship. Service members who've enlisted through the MAVNI program represent only a small percentage of immigrants in the military, the vast majority of whom joined through the same channels as their U.S.-born counterparts.

Titled “US Army quietly discharging immigrant recruits,” the AP story reports that “some immigrant U.S. Army reservists and recruits who enlisted in the military with a promised path to citizenship are being abruptly

discharged." The story implies that institutionalized xenophobia might be behind the a recent spike in the number of MAVNI recruits being "booted" from the program.

But while the AP did report accurately that many recruits have been cut from the program in recent months, the Pentagon insists that the numbers reflect nothing unusual.

Indeed, two Army recruiters who spoke to Task & Purpose on the condition of anonymity rejected the notion that the military was deliberately and purposefully ridding itself of non-U.S. citizens —as did a Nigerian immigrant who has been enrolled the MAVNI program for more than two years. "I think the journalist just didn't understand how MAVNI works," she opined.

One of the recruiters put it more bluntly. "The MAVNI situation is f*cked up and screwing these kids over," he said. "But that article is bullsh*t."

Related: The Recruiters: Searching For The Next Generation Of Warfighters In A Divided America »

More than 10,000 non-U.S. citizens were accepted into the MAVNI program before it was halted in September 2017, but the Pentagon could not say when reached by Task & Purpose on Friday how many of those recruits actually entered the military. Recruits can be dropped from the program for myriad reasons, such as poor physical health or a failure to clear mandatory background checks.

All military applicants must undergo background checks. According to Air Force Maj. Carla Gleason, a Pentagon spokeswoman, roughly 1,100 are still waiting to begin basic training pending the completion of background investigations, including one conducted by the National Background Investigations Bureau.

But these background checks are not uniform processes. For an 18-year-old enlisting straight out of high school in, say, Kentucky, the process can be fairly quick for logistical reasons, like the ease of contacting a recruit's family, readily accessible information about past residences, relationships with dubious figures, and so on.

By contrast, the typical MAVNI recruit has a much more complex life story. Many hail from countries like Pakistan, Afghanistan, and Nigeria, where terror groups are highly active and poor government record-keeping can make it exceedingly difficult for investigators to determine whether the recruit poses a security threat.

"Because MAVNI recruits are foreign nationals who are not permanent residents of the United States, the security screening required for these individuals can be difficult and time consuming due to limitations in the Department's ability to verify information in the individual's home country," Gleason said.

While the AP stated in its July 5 article that some immigrant Army were "abruptly discharged," Gleason was adamant that the protocols for vetting foreign-born military applicants have remained unchanged since MAVNI ended last year. Indeed, one Pentagon source told Task & Purpose that those recruits who were recently discharged were either among the last to join MAVNI or required the

most extensive background checks. Another source said the military is taking extra precautions after a handful of MAVNI recruits had been let into the ranks only to be discharged later when investigators discovered red flags.

One of the recruiters echoed that sentiment. "The Army has been playing fast and loose with MAVNI for a decade, and would ship people to basic training who didn't have completed background checks, and all sorts of other stuff," he said. "Then people started to see the writing on the wall and they did their due diligence to correct the issue."

And while the AP story also claimed that some of the recruits were blindsided by news they were being separated and the military didn't explain to them why, another recruiter told Task & Purpose on Friday that such cases are rare.

"I don't doubt that there were some piece of s**t recruiters that s**t-canned these kids for the sake of it," the second recruiter said. "But in my office, we sat down individually with every one of them and laid it all out – what it meant – and asked them if they wanted to continue."

As the AP article ignited an avalanche of media outrage on cable news and social media, the Army and Pentagon went into full damage-control mode, explaining to reporters that the military is required to conduct a security screening of all recruits as part of the accession process.

"Any recruit, to include those recruited through the MAVNI program, who receives an unfavorable security screening is deemed unsuitable for military service and is administratively discharged," said Army spokeswoman Lt. Col. Nina Hill. "Each recruit undergoes an individualized suitability review and the length of time for the review is dependent upon each individual's unique background."

Army officials declined to answer further questions about the recruits discharged and the security screening process.

Indeed, the confusion over the AP story points to another fundamental problem in the complexity and lack of understanding surrounding MAVNI. While great in theory, the MAVNI program very quickly became a bureaucratic nightmare. The issue seems to be

scalability: In 2008, the year MAVNI was launched, a maximum of 1,000 recruits were permitted to enter the Army. Over the next several years the cap increased to 5,000. Both recruiters expressed sympathy for the MAVNI applicants. Some have been stuck in limbo for years.

Abiodun Awonusi is one such applicant. She joined the MAVNI in March 2016 and was supposed to begin basic training that September, but her start date has been delayed twice. Now she has no idea if she will ever become a soldier.

Awonusi, who now lives in New Jersey, came to the United States in 2013 on a student visa to pursue a master's degree in healthcare administration. She qualified for the MAVNI program because she speaks Yoruba, but that has actually complicated her immigration status.

"When you join the MAVNI program it kind of leaves you in a messed up situation, because once you do that with immigration they say you have shown intent to stay," she told *Task & Purpose*. "So you technically cannot apply for any other immigration categories that don't show intent to stay."

That means she is ineligible for temporary visas, she said. Her original student visa had expired while she has been waiting to join the Army.

"So it leaves you in a little rut where there's not a lot to do and you just have to wait it out and see what happens," she said. "I am not legally allowed to work."

Correction: A previous version of this analysis incorrectly stated that background investigations of military applicants are conducted by the Defense Security Service. The investigations are currently conducted by the National Background Investigations Bureau. (Updated 7/6/2018; 11:17 pm EST)

Immigrant Military Discharges: Blame Bureaucratic Stupidity, Not Trump Administration Anti-Immigrant Animus

In reality, it's a cautionary tale of bureaucratic incompetence and opacity, not an indictment of the Trump administration's posture toward immigrants.

By Jimmy Quinn

[National Review](#), July 6, 2018

An Associated Press report on Thursday evening leveled a chilling accusation against the Trump administration, alleging that immigrant U.S. army recruits and reservists are being discharged from the military. The report cited recent cases in which non-citizen recruits were issued an unqualified discharge from the military, and thereby denied naturalization through a special program designed to attract skilled foreign-

national enlistees with a promise of citizenship. Collective outrage at the Trump administration's immigration policies followed and, as is often the case, obscured the far-more-complicated truth of the matter.

It's true that some recruits in the Military Accessions Vital to National Security (MAVNI) program have in recent days been mysteriously discharged. It's also true that the AP sloppily framed the story as an outrageous attempt to expel immigrants from the military, which has led some of the president's political foes to turn it into cheap political fodder. ("Even our troops aren't exempt from Trump's racism," the California Democratic party wrote on Twitter.) Yet this episode has nothing to do with the administration's hostility to immigration; it is above all the story of a bureaucratic battle. That it's been twisted into something else is a reminder, if ever one were needed, that facts can quickly become the casualty of political expediency in the age of social-media outrage.

In 2002, President George Bush signed an executive order permitting the expedited naturalization of active-duty non-citizen soldiers, in an effort to swell the ranks of the armed forces after the 9/11 terrorist attacks. In 2008, the Bush administration created MAVNI, a program for expedited naturalization with a targeted approach to recruiting highly skilled foreign nationals to the military, for two reasons: (1) to fill the gaps in the military's critical-language capabilities, which the 9/11 commission recognized as a weak link in America's national-security apparatus; and (2) to recruit foreigners with technical skills, such as dentists and doctors. These recruits were a highly educated bunch: The inaugural MAVNI cohort in 2009 accounted for close to 2/3 of the military's master's degrees and filled 47 percent of its shortage of dentists. Where the military was in need of recruits with language and other skills, these foreigners answered the call in exchange for a quicker path to citizenship than was possible through non-military means.

While the program ran more or less smoothly until the end of the Obama administration, it faced a few bumps on the road from its inception until it stopped accepting new recruits in 2016. The 2009 Fort Hood shooting led to its suspension before it was restarted in 2012, as Pentagon officials worried about internal threats from non-citizen service members. Additionally, the program faced strains as the inclusion of DACA recipients was ordered by the Obama administration in 2014.

In an interview with

National Review, Margaret Stock — who designed the MAVNI program when she worked at the Department of Defense and is now an immigration lawyer

representing recently discharged MAVNI recruits — says that she supported the enlistment of DACA recipients in the military, but not through MAVNI, which “wasn’t designed for them.” According to Stock, then-Pentagon general counsel Jeh Johnson, who would go on to serve as Obama’s secretary of homeland security, added DACA beneficiaries to the program in a memo that argued “with no basis in law or fact [that] the only way to let them into the military was through the MAVNI program.”

And so, while potentially thousands of DACA recipients could otherwise have joined the military, their participation was limited exclusively to MAVNI by Johnson’s memo, and only 900 of them enlisted. (Spanish is not a critical language whose speakers are sought by the military, and it is impossible for immigrants without legal status to become doctors.)

Even this limited addition to the program contributed to a modest background-check backlog. But according to Stock, the program was dealt a truly deadly blow in September 2016, when Pentagon officials ordered “extreme vetting” for MAVNI recruits. Before, these recruits had already been subjected to the background-check process for receiving top-secret security clearance, which included counterintelligence screening among other rigorous measures. Now, the additional “extreme vetting” procedures stretched the Defense Department’s capabilities to their breaking point. Stock says that this move was made without commissioning a cost-benefit analysis, and that defense officials neglected to back it with the necessary resources and manpower to carry it out. MAVNI stopped accepting new recruits shortly after the “extreme vetting” order, and the program was finally suspended in 2017.

There are more than 70,000 non-citizen individuals serving in the U.S. military. The discharges described by the AP affect a few dozen people who enlisted through MAVNI. As nonsensical as the current policy toward them is, it reflects not a maliciously xenophobic purge of immigrants from the armed forces but rather the woes of bad, opaque policymaking.

The substantive issue here is the immigrants left in limbo, the ones who signed contracts in 2015 and 2016, before the program ended, and are now facing unqualified discharge (rather than the honorable discharge that would grant them citizenship under the program). Because MAVNI enlistees were promised citizenship through the arrangement, many let their visas lapse, and some now face return to their home countries, such as China and Russia, whose governments view them as traitors.

The justification given for discharging the MAVNI recruits whose cases have been publicly revealed in

recent days (it’s likely that several more will come to light soon enough) is that they failed a background check. This is not, however, as straightforward as it immediately seems — while failing a background check might indicate that one is a national-security concern, in this case it might well also be a simple reflection of bureaucratic insanity. Funny, some of the discharged recruits were concurrently approved for asylum status and legal residency, suggesting that other review processes did not view them as threatening.

Stock tells National Review that one of her clients, a man from Pakistan, failed his background check because investigators flagged family ties in his home country and his relationship with his fiancée as concerning. Yet his background-check report, which Stock obtained through a FOIA request, also shows that the Equifax portion of his screening had not come through. Normally, sending records via Equifax takes 48 hours — not three years, as it did in his case. To boot, the report also notes that this man — whose phone and car bumper are emblazoned with American flags — “has such a deep and longstanding loyalty to the U.S., that he can be expected to resolve any conflict of interest in favor of the U.S.” Yet, it passes him over because his file is incomplete.

Much has been made in reactions to the AP article of whether the immigrants discharged can have truly “enlisted” before expulsion from the military. But if Stock’s client’s case reflects a broader trend — which is entirely conceivable, considering the total chaos that reigned over MAVNI background checks — then justifying discharge on the grounds of failing a background check is moot. If the government does not execute these background checks, their subjects will necessarily fail them. (That said, it’s also entirely possible that a recruit could fail a check on his own merits, a nuance that makes this debate yet more complex.)

As NPR reporter Tim Mak noted on Twitter, the real story here should be a change in policy regarding the recruits held in limbo, which evidently led to this week’s wave of discharges. That these enlistees are being discharged is a new development in this long-running saga. But you wouldn’t know that from reading the AP’s story, which is light on policy details and thus leaves room for partisans to create their own fictions. The MAVNI program isn’t even mentioned until halfway through the piece. To simply lead with the comment that enlistees are being discharged does not give the appropriate context; one must understand the full sweep of the program’s history, and what the latest discharges mean for immigrants in the military more generally.

There are more than 70,000 non-citizen individuals serving in the U.S. military. The discharges described by the AP affect a few dozen people who enlisted through MAVNI. As nonsensical as the current policy toward them is, it reflects not a maliciously xenophobic purge of immigrants from the armed forces but rather the woes of bad, opaque policymaking. Before using the AP report for their political purposes, the Trump administration's critics should first stop and understand its full context.

Don Bacon: Army Discharged Immigrant Recruits To Fix Vulnerabilities Of Failed Program

By Joseph Morton

[Omaha \(NE\) World-Herald](#), July 7, 2018

WASHINGTON — Rep. Don Bacon is defending the abrupt discharges of some immigrant U.S. Army reservists and recruits who enlisted with a promised path to citizenship.

The Omaha area's Republican congressman said Friday that the program involved was supposed to be a narrowly targeted way for the military to acquire specialized talents from foreign nationals.

But, Bacon said, the Army ramped up the program well beyond what was intended, failed to do adequate background checks on the recruits from the start and is now having to go back through to weed out potential bad actors.

"This is indeed a clear foreign intelligence threat that's been exploited by other countries," Bacon said.

Bacon is a retired Air Force brigadier general and a member of the House Armed Services Committee. He said he's received hours of classified briefings on the issue.

While he can't share details, Bacon expressed confidence that the discharges are appropriate and "fixing a vulnerability."

"This was not meant to be malicious toward immigrants," Bacon said. "The Army has a failed program and they're having to fix it."

Bacon said he felt the need to speak out after seeing a report about the discharges by the Associated Press.

The AP reported that immigration attorneys said they knew of more than 40 who have been discharged or whose status has become questionable, jeopardizing their futures.

Spokespeople for the Pentagon and the Army said that, due to pending litigation, they were unable to explain the discharges.

Ohio's Republican Gov. John Kasich posted a statement on Twitter saying the discharges were

"breaking faith" with the recruits. "This decision must be reversed now, for the sake of our military, to show that America keeps its word and to uphold the very values we claim to stand for."

Bacon said the Army doesn't have a choice. "They have to do it, unless you want to have foreign agents in your army," he said.

This report includes material from the Associated Press.

The 'immigrant Purge' That Wasn't

[New York Post](#), July 6, 2018

Social media erupted in outrage Friday after an Associated Press report suggested the Trump administration is purging immigrants who enlisted in the military with a promised path to citizenship. That's not the case — though a real problem remains.

see also

Army reportedly giving immigrant enlistees the boot

The Army is booting reservists and recruits who happen to...

This much is true: Immigrant advocates told the AP they've seen a surge of Army reservists who've been abruptly discharged from the Military Accessions Vital to National Interest program.

But the lawyers who brought the story to the AP can only point to about 40 — out of around 10,000 now in the program.

Building on an effort that began under President George W. Bush, MAVNI since 2009 has recruited immigrant soldiers — noncitizens who are here legally — with special background and language skills.

But because these are immigrants, many from Middle Eastern countries, extensive background vetting is necessary before they're allowed to serve.

As veteran military commentator John Noonan notes, it's elementary: "If you're not a citizen and you want to serve, we have to check your background. Aggressively."

But when the Obama administration opened MAVNI up to DACA "dreamers," growing national-security concerns led the Pentagon to ratchet up that screening — creating a huge backlog.

All this began in the fall of 2016 — before President Trump had even been elected, although new Defense Secretary Jim Mattis added even more layers of vetting in 2017.

As Stars & Stripes has reported, soldiers recruited before then found themselves stuck while waiting for their clearances. And if the vetting isn't finished within 180 days, they must be given an entry-level separation

from service that's not considered an honorable discharge.

Problem is, that's precisely what they need in order to become citizens.

It's a shame that some of these volunteers are caught in a bind that they can't control. But it's up to the Pentagon (as well as the FBI and other agencies that do some of this background-check work) to ensure that the vetting be expedited without compromising on thoroughness.

Zero-tolerance Policy Fails To Stop Surge Of Illegal Immigrant Families

By Stephen Dinan

[Washington Times](#), July 8, 2018

Migrant families continued to pour across the U.S.-Mexico border in June, according to the latest numbers, a signal that the government's threat to jail parents and separate them from their children didn't stop them from making the attempt.

Indeed, while the data released Thursday showed progress on the overall flow of people and on children traveling unaccompanied by parents, the number of families trying to sneak into the U.S. between the ports of entry remained virtually unchanged over the past three months.

Analysts were baffled. They expected the administration's get-tough policy announced in early May to change patterns.

The administration's zero-tolerance policy was supposed to scare migrants — families in particular — away from attempting to sneak into the U.S.

Under the policy, the government said it wouldn't prosecute migrants who came to ports of entry but would jail those who jumped the border, including people who came with children. Because federal jails can't accommodate families, that led to the separations that have stunned the nation.

Administration officials have disagreed over whether family separation was an intentional effort to deter families, but whatever the motive, the hope was that families would show up at ports of entry and request asylum, not sneak between the ports.

Instead, the opposite has happened.

Some 78 percent of illegal immigrant families who approached the border in June tried to sneak, and 22 percent came through the ports of entry to make a claim. The average of border-jumpers over the previous five months was 63 percent.

The number of people caught by Border Patrol agents is considered a yardstick for the overall flow, so

more people nabbed means more people are getting through.

Overall, the Border Patrol did see a drop from about 40,300 to about 34,100 people. The number of unaccompanied alien children caught trying to sneak across the border dropped from nearly 6,400 to about 5,100.

Homeland Security touted the numbers as evidence that zero tolerance was working.

"Following the implementation of the administration's zero-tolerance policy, the June 2018 Southwest Border Migration numbers declined by 18 percent when compared to the previous month," said Tyler Houlton, press secretary for Homeland Security Secretary Kirstjen Nielsen.

The department did not address the continued surge of families and referred a reporter's questions back to the broad claims of success.

Analysts said there is little evidence that zero tolerance is working.

With few exceptions, they said, the number usually drops in June as summer heat deters migrants.

"For all of the pain and outrage it has caused, during a month when it was at its most intense and generating worldwide headlines, the 'zero tolerance' policy had only a very small deterrent effect on would-be migrants," wrote Adam Isacson, a border security analyst at the Washington Office on Latin America, a human rights advocacy group.

The family migration is chiefly made up of Central Americans. Of the 68,500 caught so far this fiscal year, more than 33,000 were from Guatemala and more than 24,000 were from Honduras. Some 8,500 others were from El Salvador, and just 1,565 were from Mexico.

Families say they are fleeing rough conditions of poverty, gang violence and government indifference back home. Security analysts say they are enticed to come to the U.S. by lax immigration enforcement.

Immigrant rights activists say they should be treated as refugees rather than as part of the usual flow of illegal immigrants dissatisfied with their lives at home and seeking better opportunities in the U.S.

While the number of families jumping the border has remained steady from April through June, at about 9,500 a month, the contours of the flow have changed. The number of families dropped significantly in the Rio Grande sector, in southern Texas, but spiked in New Mexico and Arizona.

Several analysts said it's not the U.S. but the smuggling cartels that are controlling the flow of people and deciding where and how they cross.

While many migrants pay to be smuggled the entire route north, others will make the journey from Central America to the U.S.-Mexico border on their own.

Once there, most still pay what they call the “mafia fee” to a cartel to be smuggled across the line and transported within the U.S. Even if they plan to cross on their own, paying the mafia fee earns them the password they must give to get by the cartel’s enforcers.

Brandon Judd, president of the National Border Patrol Council, said the cartels keep a steady flow of people jumping the border between the ports of entry because they use the people to keep Border Patrol agents occupied, creating holes in coverage that give the cartels a chance to smuggle drugs or other contraband.

Cartels also have scout camps on U.S. soil to help direct incoming traffic, sending those they want caught into the hands of agents while routing drug loads around them.

“The cartels control everything that happens,” Mr. Judd said. “The cartels are the ones that dictate where people cross the border. And so the cartels are going to continue to push people to cross between the ports of entry because they know it stresses our manpower.”

Smugglers also keep tight reins on information, so many migrants may not know they have the option of showing up at a legal port of entry to request asylum, Mr. Judd said.

Other analysts said the numbers do show the effects of one government policy change to impose order on those lining up to come through the official ports of entry.

Part of that involves having U.S. Customs and Border Protection officers out in front of the pedestrian gates at the border, prescreening people and telling would-be asylum-seekers when the port is full.

“I can see how that really would have an effect because they were turning people back before they could set foot on U.S. soil, who were clearly inadmissible,” said Jessica Vaughan, a security analyst at the Center for Immigration Studies, which advocates for stricter immigration limits.

Mr. Isacson said he saw the officers in operation a couple of weeks ago at the border in Arizona. He said he had to show his own passport just to be allowed in line to get to the counter to ask for readmission back into the U.S.

“In Nogales, they were metering the flow at a very low level: about six asylum-seekers per day, according to local advocates accompanying the asylum-seekers, while more than 110 were waiting their turn,” he said.

Tom Jawetz, vice president for immigration policy at the Center for American Progress, a liberal think tank,

said there were cases in which parents show up at ports of entry as the government suggested and still had children taken away — something the government said isn’t generally supposed to happen.

“If you are a mother hoping to request asylum for yourself and your child in the U.S. and you knew that going to a port of entry could either lead to your child being taken away or being turned away entirely, wouldn’t you decide to try to enter between the ports in order to lodge your request for protection?” he said.

Latest DHS Stats Show There Is Still No Crisis At The Border

By Stuart Anderson
[Forbes](#), July 6, 2018

There is no illegal immigration crisis at the border justifying extreme actions, according to the Department of Homeland Security’s (DHS) own data. That was true even before the latest release of border statistics showing illegal cross-border migration declined by 18% from May to June 2018.

The Trump administration issued a press statement on July 5, 2018, claiming administration policies that caused thousands of parents to be separated from their children deserve credit for the decline at the border. “Following the implementation of the Administration’s zero-tolerance policy, the June 2018 Southwest Border Migration numbers declined by 18 percent when compared to the previous month,” said DHS Press Secretary Tyler Q. Houlton. However, on the same day, U.S. Customs and Border Protection contradicted the DHS statement, writing, “This decline follows the overall downward trend for this time of year (from May to June).” (Emphasis added.)

Table 1 shows the decline from May to June 2018 is in line with the previous 5 years. In fact, in 3 of the 5 previous years the June numbers were actually lower than in June 2018. The numbers on what U.S. Customs and Border Protection classify as “illegal cross-border migration” refer to the combined number of apprehensions near the Southwest border and individuals deemed “inadmissible” at ports of entry. “The 2018 decline between May and June is nearly the same in both count and percentage as occurred between May and June in both 2016 and 2013,” notes Mark Regets, a senior fellow at the National Foundation for American Policy. “While this is part of a decline in illegal immigration that has been ongoing for many years, it is hard to call it a triumph of policy when there were actually lower numbers during June in 3 of the 5 years prior to June 2018.”

Donald Trump and others in his administration have said there is an “illegal immigration crisis on the southern border.” However, as discussed in a recent analysis of the numbers, from October through May 2018 (the current fiscal year), illegal cross-border migration was only about 11% higher than at the same point last year – and the administration said last year was the “lowest level” on record. A December 2017 report from U.S. Customs and Border Protection (CBP), part of the Department of Homeland Security, stated: “In FY17, CBP recorded the lowest level of illegal cross-border migration on record, as measured by apprehensions along the border and inadmissible encounters at U.S. ports of entry.” (Emphasis added.)

The separation of children, which has received widespread criticism from both Democrats and Republicans in Congress, was due to a “zero tolerance” policy under which the Trump administration prosecuted individuals for the misdemeanor offense of crossing the border illegally and removed children who were with a mother or father when apprehended. (See [here](#) and [here](#).) A judge has ordered the administration to reunite children with their parents.

The administration’s new approach in court (and in a presidential executive order) is to seek the indefinite detention of parents and children. Even much higher numbers at the border would fail to justify a policy that either separates children from their parents or detains families indefinitely together. (See this report on a mother and child separated for 55 days before finally being reunited.)

Detaining children or individuals seeking asylum for long periods of time is harmful and unnecessary. Placing children in detention longer than 20 days also would almost certainly violate a 1997 consent decree known as the Flores settlement. “Detention can be very harmful to children,” according to Fatma E. Marouf, a law professor at the Texas A&M University School of Law. “We should keep in mind that many of these children have already experienced violence, abuse, and trauma in their home countries, as well as on their dangerous journey to the United States.”

There is a false choice between a policy of “catch and release,” as critics call it, and detaining asylum seekers indefinitely. “Studies have shown high rates of attendance at immigration court hearings and compliance with deportation orders if immigrants are provided with some type of case management to help them understand the process,” notes Professor Marouf. “Additionally, ICE’s ‘full service’ electronic monitoring program, which combines a GPS monitoring device (i.e., ‘ankle bracelet’) with case management, has a compliance rate of 99.9% for all court hearings and costs

only about \$8/person each day, compared to around \$180/person for detention.”

Bottom line: The numbers show there is no illegal immigration crisis at the border. The administration should establish (or reestablish) in-country processing for those seeking protection as refugees and work with the countries in Central America to reduce the violence causing people to flee. For individuals coming for economic reasons, we should expand the legal avenues to work in the United States.

The federal government should provide alternatives to detention for those seeking asylum and adjudicate their applications fairly. Such a policy would be consistent with the law and our values as Americans.

Trump’s Mar-a-Lago Club In Florida Seeks To Hire 61 Foreign Workers

By David A. Fahrenthold
[Washington Post](#), July 5, 2018

President Trump’s Mar-a-Lago Club has applied for permission to hire 61 foreign workers to serve as waiters and cooks during the winter social season in Palm Beach, Fla., according to data posted this week by the Labor Department.

The latest data was posted late Thursday on the department’s website: Trump’s club has asked to hire 21 cooks from overseas and employ them from October to May. At the end of that term, the workers would be expected to return home.

Earlier on Thursday, another posting showed Trump’s club also wants to hire 40 foreigners to serve as waiters and waitresses at the club. Mar-a-Lago is a for-profit social club, catering to the wealthy wintertime residents of Palm Beach. It also houses private living quarters for Trump — who has visited repeatedly, and dubbed the club the “Winter White House.”

The postings show that — despite Trump’s insistence that immigration is holding down wages and crowding out native-born American workers — his club believes it cannot find any Americans in South Florida who are qualified to hold two very common restaurant-industry jobs.

The application to hire waiters was first reported Thursday by BuzzFeed.

The Mar-a-Lago Club has repeatedly used foreign workers in the past. Last year, his company applied for permission to hire waiters, housekeepers and cooks.

These postings give some hints about the business Trump’s company expects at Mar-a-Lago this year — and also about what it is willing to pay workers, in a time of slowly rising wages.

This year's postings show Trump's club wants to hire one more foreign cook than last year. But it is seeking to pay those cooks slightly less than in 2017: the posting says Mar-a-Lago's pay for cooks starts at \$13.31 per hour, down 3 cents from the year before.

The posting for waiters shows Trump wants to hire five more foreigners for those jobs than in 2017. The base salary his club is offering to waiters is higher in 2018: It rose from \$11.88 per hour last year to \$12.68 per hour this year.

The increases in the numbers of foreign workers sought by Mar-a-Lago come at a time when the club's business model seems to be changing — transformed, by Trump's divisive politics from a club focused on charity galas to a GOP clubhouse frequented by Trump's friends and allies.

Last year, after Trump said there were "very fine people" among violent crowds of protesters in Charlottesville, many of Trump's longtime charity clients quit. In their place, the club rented its ballrooms to Trump's political allies: Young Republicans, the Christian Broadcasting Network and a group of superfans called "Trumpettes USA."

Mar-a-Lago's competitors in Palm Beach, including other social clubs and hotels, have also used foreign labor. The nearby Everglades Club — known for being more private in its affairs and restrictive in its admissions than Trump's club — also posted an application seeking to hire 15 foreign cooks for the coming season, at the same salary as Trump's club.

Trump's competitors have said the seasonal nature of resort work — which picks up in the fall and drops off in the spring when wealthy snowbirds leave Palm Beach — is not attractive to American workers.

A spokeswoman for the Trump Organization did not respond to requests for comment.

Other Trump businesses have hired foreign workers for temporary jobs. Earlier this year, the company asked to hire 14 foreign workers to be cooks and waiters at the Trump golf club in Westchester County, N.Y. And the Trump Winery near Charlottesville sought to employ 23 foreigners.

To comply with labor requirements, the Trump Organization will need to follow a set procedure to prove it cannot find Americans qualified to wait tables.

Often, that means placing help-wanted ads in local newspapers, advertising at job fairs or contacting past applicants. If those efforts do not yield enough American applicants to fill the job, Trump's clubs can ask the department to certify it has tried and failed to find homegrown labor.

After that, the Trump clubs can ask the Department of Homeland Security to issue visas for workers from

other countries. Mar-a-Lago's application says the club is using a labor contractor, Petrina Group International, it has relied on to recruit foreign workers in the past.

Trump's Mar-A-Lago Wants To Hire 40 More Foreign Workers

[BuzzFeed](#), July 5, 2018

Mar-a-Lago, President Donald Trump's private club in Palm Beach, Florida, that he calls the Winter White House, has asked the government for permission to hire 40 temporary foreign workers as waiters and waitresses, according to records posted by the Department of Labor on Thursday.

The request comes as the Trump administration's policies regarding foreigners seeking to enter the country are facing sharp criticism. Trump has also been a strong proponent of US companies hiring fewer foreign workers and more American employees.

But in the case of Mar-a-Lago, he has defended the use of temporary foreign workers by saying that it is "very, very hard to get help" during the Florida tourist season.

The workers are being sought under the controversial H-2 visa program, which permits US employers to hire guest workers under temporary visas if no qualified US workers want the jobs.

No one from the club or the Trump Organization immediately responded to requests for comment Thursday. A spokesperson from the White House referred inquiries to the Trump Organization and Department of Labor.

Since Trump launched his presidential campaign in June 2015, businesses owned by him or bearing his name have sought to hire more than 480 foreign guest workers, including more than 240 for Mar-a-Lago.

If the Department of Labor approves the requests, the club will be allowed to employ the workers from October 2018 through May 2019. The jobs would pay \$12.68 per hour, with the possibility of additional overtime.

Since 2003, more than 100,000 foreigners have been brought in under the H-2A and H-2B programs each year. In late 2016, a special envoy from the United Nations said the federal guest worker program puts workers at risk of exploitation and even trafficking. A 2015 BuzzFeed News investigation found that H-2 workers were often exploited, and sometimes raped or beaten. BuzzFeed News also found that many Americans were denied jobs in favor of guest workers. Trump companies have not been accused of mistreating H-2 workers.

Trump Is Set To Separate More Than 200,000 U.S.-Born Children From Their Parents

By Mark L. Schneider

[Washington Post](#), July 6, 2018

If you think the last few weeks of separating 2,300 children from their migrant parents along the southern border were heart-wrenching, imagine if 273,000 American-born children are separated from parents whose temporary protected status (TPS) is terminated. That is what could happen if the Trump administration's decision to revoke TPS for Haitians, Salvadorans and Hondurans is allowed to take effect.

Despite President Trump's executive order reversing his policy of separating migrant families, most of those 2,300 children have not been returned to their parents. That is truly unconscionable.

More than 100 times that number of children — all U.S. citizens — will be placed in similar jeopardy if the Department of Homeland Security begins programs to deport more than 58,000 Haitians on July 22, 2019, more than 262,000 Salvadorans on Sept. 9, 2019, and 86,000 Hondurans on Jan. 5, 2020. Parents will be faced with the decision of whether to take their children — most of whom speak mainly English and know only life in this country — back to countries deemed by the State Department as not safe for travel, some with the highest homicide rates in the hemisphere.

Otherwise, parents will have to leave their children alone in the United States or, if they're lucky, with relatives, or foster parents who they may or may not know, or some with "adult sponsors" chosen by federal agencies. The only other choice available to those parents would be to hide in the shadows as undocumented aliens. And that is what the ambassadors to the United States from El Salvador and Honduras, during an event at the Center for Strategic and International Studies (CSIS), predicted that most families would attempt. And DHS would undoubtedly begin a massive hunt for them.

The TPS provision in the Immigration Act of 1990 states that after each 18-month review, if conditions have changed — and governments can adequately handle the return of their citizens, and the returnees can return in safety — then it can be terminated. It does not say it is okay to deport them even as governments say they would still be overwhelmed or that it is still unsafe.

The Trump administration's TPS termination decision reversed the findings of Presidents George W. Bush and Barack Obama, their secretaries of state and secretaries of homeland security, and their legal advisers. They found conditions justified legally

extending the temporary protected status after each of 14 reviews for Honduras since it was granted following Hurricane Mitch in 1999, each of 13 reviews for El Salvador following two earthquakes in 2001, and each of four reviews for Haiti following the worst earthquake in the region's history in 2010.

The decision to terminate the temporary protected status appears blatantly political since it contradicted the evaluation of U.S. diplomats in each of the countries who sent cables urging extension of TPS. They wrote that deportation of TPS holders and their children would endanger the fragile economies in those countries, overwhelm the countries' abilities to provide services, lead to more violence, and prompt new flows of migrants to our borders, thus undermining U.S. national security interests. The U.S. Southern Command, which covers Central and South America, came to the same conclusion.

The Department of Homeland Security also ignored these State Department travel advisories in January warning U.S. travelers to "Reconsider Travel" to those countries:

- El Salvador: Violent crime, such as murder, assault, rape, and armed robbery, is common. Gang activity, such as extortion, violent street crime, and narcotics and arms trafficking, is widespread. Local police may lack the resources to respond effectively to serious criminal incidents.

- Honduras: Violent crime, such as homicide and armed robbery, is common. Violent gang activity, such as extortion, violent street crime, rape, and narcotics and human trafficking, is widespread. Local police and emergency services lack the resources to respond effectively to serious crime.

- Haiti: Reconsider travel to Haiti due to crime and civil unrest. Violent crime, such as armed robbery, is common. Local police may lack the resources to respond effectively to serious criminal incidents or emergencies. Protests, tire burning, and road blockages are frequent and often spontaneous.

Various studies show that more than 80 percent of TPS beneficiaries work, pay taxes, and contribute an estimated \$690 million each year into Social Security. It would cost an estimated \$3 billion to deport them and the U.S. economy would lose about \$4.5 billion each year in gross domestic product.

Finally, U.S. policy, begun under Obama and a Republican Congress, and continued, according to Vice President Pence, in the Trump administration, sees the best way to reduce the "push" factors on illegal migration is to assist Central America to strengthen their economies, democratic institutions and law enforcement.

Sending back hundreds of thousands of people to those countries, when the governments themselves have said they cannot handle it, undermines that policy. And placing at risk 273,000 U.S. citizen children — some still being nursed — undermines our values.

The immediate answer is for the president to reverse the DHS termination decisions. The best answer for those U.S. citizen children is for Congress to authorize permanent residency for their parents now and a pathway to citizenship — they have been here for as long as two decades and have demonstrated they can contribute to our future — as immigrant parents in this country have done for almost 250 years.

Mark L. Schneider is a senior adviser at the Center for Strategic and International Studies, former director of the U.S. Peace Corps, and former head of Latin America and the Caribbean at USAID.

Anne Frank's Family Was Thwarted By United States Immigration Rules, New Research Shows

By Mihir Zaveri

[New York Times](#), July 6, 2018

Attempts by Anne Frank's father to escape the Nazis in Europe and travel to the United States were complicated by tight American restrictions on immigration at the time, one of a series of roadblocks that narrowed the Frank family's options and thrust them into hiding, according to a new report released on Friday.

The research, conducted jointly by the Anne Frank House in Amsterdam and the United States Holocaust Memorial Museum in Washington, details the challenges faced by the Frank family and thousands of others looking to escape Europe as Nazi Germany gained strength and anti-refugee sentiment swept the United States.

Otto Frank, Anne's father, was never outright denied an immigration visa, the report concludes, but "bureaucracy, war and time" thwarted his efforts.

In order to obtain a visa, Mr. Frank would have had to gather copies of family birth certificates, military records and proof of a paid ticket to America, among other documents, and be interviewed at the consulate.

In one instance, an application that Mr. Frank said he submitted in 1938 languished in an American consulate in Rotterdam, the Netherlands, amid a swell of similar applications and was lost in a bombing raid in 1940. Mr. Frank wrote to a friend that the extensive papers he had gathered as part of a visa application "have been destroyed there."

In 1941, as Mr. Frank was again attempting to navigate the matrix of paperwork and sponsors

necessary to immigrate, the United States government imposed a stricter review of applications for visas, grew suspicious of possible spies and saboteurs among Jewish refugees, and banned applicants with relatives in German-occupied countries.

President Franklin Delano Roosevelt warned at the time that Jewish refugees could be "spying under compulsion," and the report states that "national security took precedence over humanitarian concerns."

Mr. Frank had sought help from an influential friend, Nathan Straus Jr., who was the head of the United States Housing Authority, a friend of Eleanor Roosevelt's and the son of a Macy's co-owner. Despite Mr. Straus's connections, Mr. Frank wrote to him that "all their efforts would be useless" given the immigration climate, the report states.

"We wanted to learn more about the process in itself and what documentation an applicant (e.g. Otto Frank) had to produce," said Gertjan Broek, a researcher with the Anne Frank House who worked on the latest findings. "In the report, we point out how complex and tedious the process was and how the bombing of the Rotterdam consulate disrupted things."

The report was released 76 years after the Frank family went into hiding on July 6, 1942. Researchers drew on dozens of pages of correspondence between Mr. Frank and friends, much of which was first made public in 2007, as well as records involving United States immigration policy.

Anne Frank's diaries describing her time in hiding gave a voice to millions who died at the hands of the Nazis. She was eventually discovered and she died in a concentration camp in 1945, when she was 15.

Mr. Frank was the only member of the immediate family to survive the concentration camps.

News about the Frank family continues to captivate the public, despite challenges in educating younger generations about the Holocaust.

"She has allowed millions of people, maybe hundreds of millions of people, to identify with persecution at the worst level," said Richard Breitman, a professor emeritus at American University who has written about the family's attempts to immigrate to the United States. "Any time there is a glimmer of new information, it's a big story."

The new research comes at a time when President Trump's attempts to curb immigration have been likened to those in the World War II era. Mr. Trump has repeatedly sought to justify letting fewer people into the country by arguing that criminals and terrorists could be among the immigrants and refugees seeking to enter.

Mr. Breitman underscored those similarities, pointing to debates over immigration policy today and

after Sept. 11. Mr. Breitman said that as Mr. Frank was trying to get to the United States, the country was instituting an "extreme cutback" on immigration.

"It wasn't just extremists and wackos who believed that there was a serious threat to the security of the United States in 1940 that justified an immigration cutback," Mr. Breitman said. "You can fill in the rest of it after 9/11 and today."

Mr. Broek said the researchers did not intend to highlight parallels.

"The Anne Frank House researches into the life of Anne Frank and her family, to tell her story as accurate as possible," Mr. Broek said. "The attempted immigration is a part of that story too."

'I've Never Seen That Before': Activists Marvel As Calls For Immigrant Rights Enter The Mainstream

By Marissa J. Lang

[Washington Post](#), July 6, 2018

Anyone who has attended an immigration rally has heard these words: *El pueblo unido jamás será vencido*. The slogan migrated north from workers movements in Latin America and has taken root at protests in the United States.

It means, "The people united will never be defeated," a refrain repeated in recent days in front of the White House, inside the Hart Senate Office Building, outside Immigration and Customs Enforcement headquarters and along Constitution Avenue as days of protests swept Washington in response to the Trump administration's "zero tolerance" policy on migrants crossing the border illegally.

But the Spanish version proved challenging for thousands of protesters new to the immigration fight.

"The people united will never be divided," dozens of demonstrators chanted outside the ICE building.

"It's 'defeated,'" said organizer Alejandra Cruz, 30, waving her arms to draw the demonstrators' attention. "It rhymes in Spanish — not English."

Non-Hispanic allies who for years have opted out of immigrant protests, rallies and slogans have started to show up en masse. They're carrying "abolish ICE" signs and are lining up to be arrested. They're shutting down operations at ICE office buildings around the country. They're chanting, "We love you, we see you," as migrant women share their stories of being separated from their children at the southern border.

Immigrant rights advocates have noticed the shift but are uncertain of the widening movement's staying power.

Some say the mainstreaming of issues such as the dissolution of ICE and immigration reform is a welcome change, an answer to years of pleas for help. Others worry that the wave of support is tied more closely to progressives' dislike of Trump's agenda than to any newfound embrace of immigration issues and may be temporary.

"On the one hand, I'm really happy we have more allies and we have more people getting fired up about this," said Abel Nuñez, executive director of the Central American Resource Center. "On the other, I'm concerned that immigration has become the flavor of the month, and it's already losing some steam. If it's not your community, you can walk away from it. We can't."

Linda Sarsour, a Women's March organizer and former executive director of the Arab American Association of New York, said her group sought out white women to participate in a June 28 sit-in at the Hart Building that ended with 575 arrests.

"It's time for women with less at stake, less to lose, to put their bodies on the line for families who have everything to lose," she said. "If more white folks did that when Japanese Americans were being rounded up and put in camps, we wouldn't have had one of the worst chapters in American history."

Moments before police cleared the Hart Building of protesters, several women noted that this would be their first arrest, saying they had been motivated by their outrage at seeing images of children taken from their parents.

The arrested protesters, including the actress Susan Sarandon and U.S. Rep. Pramila Jayapal (D-Wash.), were escorted from the Hart Building and charged with unlawfully demonstrating, a misdemeanor.

Immigrant advocates credit photographs and audio recordings that depicted children wailing for their parents with sparking a new willingness by people to take to the streets.

Non-Hispanic activists in cities including Detroit, New York and Philadelphia have blocked doors at ICE facilities and intercepted workers entering. Those disruptions are part of an effort dubbed "Occupy ICE."

In Portland, protesters camped outside an ICE facility for days. On Wednesday, three protesters began a hunger strike, vowing to consume nothing but Gatorade until city officials expelled ICE from the city.

The vigor with which protesters have rallied to the cause of reuniting more than 2,500 children with their parents and ending family detentions has caused some advocates to think that this could be more than passing activism.

"I've been in this movement for 13 years, and we've been trying to engage allies for years. We've been

saying, 'Look, we need folks to come out. We need you to come out for us.' But we really didn't see it," said Lucia Allain, an organizer with the grass-roots nonprofit Cosecha, which advocates for undocumented immigrants. "Now we're seeing allies come out with their children, allies come out and put their bodies in front of ours, putting themselves at risk for arrest, and that's huge. I've never seen that before."

Trent Leon-Lierman, a regional organizer with CASA de Maryland, said that it is natural for the intensity of such movements to wane but that the past month was "a real turning point."

"It may not continue to be people camping out in front of ICE detention centers, but the commitment and the sacrifices that so many people are making to be in this fight is building a consciousness around these issues that is not going to go away," he said.

Others are less sure.

Nuñez said that while protesting is good for communicating public outrage, Americans interested in helping immigrant communities should do more than make clever signs and march on government buildings.

"If they're really interested in sticking with this fight for the long term, they need to partner with organizations that have been doing this work. Only then can you understand the contextual history of what we're going through today," he said. "But when I start talking about this in this way — about policy changes and the history and all that wonky stuff, it's not about kids at the border. It's not about this emotional scene. And people start to disengage. But that's what we need: a long-term plan."

The recent wave of children and families arriving from Central America began in 2014, when hundreds of thousands began fleeing to the United States to escape violence, instability and gangs ravaging communities in El Salvador, Guatemala and Honduras. Migrants can seek asylum, but the Trump administration has said smugglers, gang members and other bad actors have exploited the country's humanitarian laws to dishonestly enter the United States.

Deportations of undocumented immigrants were slightly higher under the Obama administration, although it prioritized gang members, violent felons and those considered national security risks.

Under Trump, undocumented immigrants targeted for removal include anyone with any "criminal offenses," meaning even misdemeanors such as traffic violations. The recently declared zero-tolerance policy has broadened that framework to include anyone who illegally crosses the border into the United States.

Since late last month, families with children have been detained together, rather than being separated, although hundreds of previously separated families

remain apart. The Trump administration on Friday requested more time from a federal judge who had set a deadline for the government to reunite families. Federal officials wrote in court filings that they were struggling to match children with their parents.

"This is not a new problem, but I feel like now people think, 'Oh, Trump's a bad guy, so of course he's mistreating immigrants,' but this happened when Obama was in office. This happened [under] George W. Bush... . We can go back and back," Allain said. "The struggle is making sure these allies, who can go home and not worry about it in the way immigrant communities have to, don't forget that."

Reuniting Families Isn't Enough: A Case For Holistic Immigration Reform

By Matthew Soerens

[The Hill](#), July 6, 2018

Attorney General Jeff Sessions irked theologians when he chastised his "church friends" for saying that his "zero tolerance" policy separating children from parents at the U.S.-Mexico border was unbiblical and unjust.

Sessions' exegesis of St. Paul's instructions to the Romans to submit to governing authorities — essentially, "the law is the law and should be obeyed and enforced, no exceptions" — fails to account for biblical examples of civil disobedience, including from Paul, who wrote several epistles from jail, on the wrong side of unjust laws.

But Sessions isn't all wrong. Just because the passage has been misapplied to justify heinous deeds does not mean that we should rip it from our Bibles. The rule of law matters. But the reality is that our immigration system has often mocked the very principle that the attorney general holds up.

Rather than crafting truly effective immigration laws, we've selectively enforced outdated ones. Entering the country without a visa can be a misdemeanor offense, but federal prosecutors can and traditionally have exercised discretion. Just as no reasonable officer would fine a father speeding to the hospital with a desperately ill child, so federal law enforcement has exercised discretion by not prosecuting those with small children or those seeking asylum. Such cases have been handled as civil immigration violations, minimizing the likelihood of family separation or detention.

More broadly, discretion is necessary because full enforcement of all immigration laws, including the deportation of roughly 11 million undocumented immigrants, would be catastrophic. Family separation would increase exponentially, as there are an estimated 800,000 U.S. citizen spouses and 4.5 million U.S. citizen

minor children of undocumented immigrants in our country.

The fiscal costs would be astronomical. The American Action Forum estimates costs between \$100 and \$300 billion to deport the country's estimated 11 million undocumented immigrants. The long-term economic consequences would also be steep: an estimated \$1.6 trillion lost to our GDP over 20 years, potentially thrusting the nation into recession. We would lose millions of taxpayer, consumers and entrepreneurs at a time when there are more jobs available than individuals seeking employment.

For many years, our leaders have looked the other way as our overly broad laws are ignored. Why? Doing so serves our national economic interests and the common good more than fully enforcing the law. But it'd be much better to carve out more specific laws that could be fully enforced.

Broadly, that requires us to make it easier to immigrate legally and harder to immigrate illegally. Yes, we should invest in border security, prevent those on temporary visas from overstaying and verify that employees are work-authorized. But if we pursue these policies without facilitating lawful migration and adjusting visa quotas to the demands of the labor market, we will still find ourselves making exceptions and failing to actually enforce the law.

Given the many job openings that do not require a master's degree, we're inviting selective enforcement when our laws restrict the annual number of employer-sponsored visas for other-than-highly-skilled workers to just 5,000. (About a century ago, 5,000 mostly-poorly-educated immigrants came through Ellis Island daily).

Rather than ignoring the 11 million immigrants present unlawfully in the country, we should adopt an earned legalization process: admit to having violated the law, pay an appropriate fine and submit to a background check. Those with serious criminal convictions would be deported, but the majority would be able to earn permanent legal status and eventual citizenship.

The same principle of facilitating legal immigration applies to those whose motivation for leaving their country is fear of violence. We should exempt those seeking asylum from the legal definition of improper entry, regardless of how they arrive. We should more quickly adjudicate claims and ensure due process by providing asylum seekers access to legal counsel. Except in cases where an individual poses a potential threat to public safety, asylum seekers should not be incarcerated for trying to seek the protections offered by our laws.

Most importantly, we should expand the U.S. refugee resettlement program, which allows those who

fear persecution to register and be vetted abroad, then enter safely on an airplane. More than 200,000 refugees were admitted in 1980, which dropped to about 100,000 in 2016 and to an anticipated 22,000 this year.

Many Americans would support such changes, as most say they support legal immigration, and many members of Congress have long echoed the same popular mantra.

So why did four out of five House Republicans vote recently for a bill that would have cut legal immigration by up to 40 percent? Why have so few spoken up as the executive branch has constricted the refugee program by more than 75 percent in just two years? Why have decisions by the administration to withdraw legal status from more than one million lawfully present individuals failed to be successfully addressed?

If these lawmakers really support legal immigration and the rule of law, they've given little evidence of it. Too many have been influenced by a once-fringe view that sees immigrants as a problem. As commentators have observed, the "intellectual roots of nativism" are linked to a neo-Malthusian worldview that sees more people as a problem, competing for limited resources, jobs and happiness.

A truly biblical view of immigration sees all people as made in God's image, with inherent dignity and potential, such that more people will generate more innovation. We need not fight over resources, because we were made in the image of a Creator — with the capacity to create and grow more resources.

That does not mean open borders, but it does mean legally accepting as many immigrants as are clearly in our national economic interest — and perhaps a few more driven by humanitarian and foreign policy interests. If we seek to honor the law, we do so by facilitating legal immigration, not by looking the other way as archaic laws are violated or unenforced.

Christians who call for immigration reform are not dismissing the rule of law. They're calling for reforms that, as evangelical pastor John Piper has said, "would give honor to the law and show mercy to the immigrants." If the attorney general and other national leaders would consider the whole counsel of Scripture, they'll find we can both be compassionate and honor the law, leveraging the economic benefits of migration both for American citizens and immigrants.

Matthew Soerens serves as the U.S. Director of Church Mobilization for World Relief and is the coauthor of *Welcoming the Stranger: Justice, Compassion and Truth in the Immigration Debate* (InterVarsity Press, 2018).

Oregon Petition To Repeal Sanctuary State Status For Undocumented Immigrants Gets 105,000 Signatures

By Danielle Kogan

[Newsweek](#), July 6, 2018

A petition calling for a ballot measure that would seek to repeal Oregon's status as a sanctuary state has 105,000 signatures and was submitted on Thursday to Oregon's Secretary of State.

The chief petitioners are three Republican representatives who want to enforce a federal law specifically concerning undocumented immigrants. Before being added to the ballot, the law requires at least 88,814 of those 105,000 signatures to be verified. If verified, the petition—which is accepting signatures until 5 p.m. on Friday—will allow residents of Oregon to vote on the repeal. There was no information on the verification deadline.

"I'm doing this as a citizen. I'm not acting in my capacity as a state representative," chief petitioner and representative of Independence Mike Nearman told *Newsweek*. "Law enforcement hides behind this law [the sanctuary status] to not cooperate with federal authorities on illegal immigration."

On Friday morning, Nearman told *Newsweek* that people were still asking to sign the petition. The petition was also made available in a printable form for residents across the country to sign and mail. It was shared on Facebook by supporters of the platform, linking to the site of a group called Stop Oregon Sanctuaries.

"It's not really about immigration, it's about local government and cooperating with federal authority. This initiative itself has to do with criminal illegal aliens. I think by definition they pose a danger to the community," said Nearman.

For second chief petitioner and representative Sal Esquivel of Medford, one of the bigger immigration issues is health care. Esquivel said that undocumented immigrants are "on health care," adding: "I resent that very much, especially when we have situations with veterans that are homeless." [OregonLawHelp.org](#) said medical assistance is available as a public benefit, among other services, to help immigrants who have not yet applied for Legal Permanent Residency cards with their green card.

Half Mexican, Esquivel said the petition did not concern documented immigration. He cited his personal experience having an immigrant father, who he said "wanted to be an American. It took him 14 years; he assimilated himself and opened three restaurants."

Esquivel also admitted "passing the repeal won't necessarily mean they [the counties] are going to

cooperate." Nearman also expected variable degrees of cooperation.

Oregon is one of seven states with sanctuary status, according to the Center for Immigration Studies (CIS). Thirty-two counties in the state also hold sanctuary status, which would be overturned if the repeal were to pass later this year.

Sanctuary status means laws are in place that the CIS website said, "prohibit agencies from complying with ICE detainers, imposing unreasonable conditions on detainer acceptance, denying ICE access to interview incarcerated aliens, or otherwise impeding communication or information exchanges between their personnel and federal immigration officers."

In South Texas, Trump Immigration Policies Cut Into The Fabric Of Border Culture

[NBC News](#), July 7, 2018

BROWNSVILLE, Texas — Damaris Constantino, born on the southern border, is feeling that she is more likely these days to be stopped by authorities and made to prove she belongs in the United States. In contrast, Martín Sepulveda and Dwight Yoder are glad to see a strong Border Patrol presence in their city. They all think children should not be separated from their families.

The seam between Texas and Mexico has created a fabric of American life filled with a citizenry who converse in a mix of Spanish and English and who may quench their thirst with a "michelada" while satiating their hunger with a sirloin steak. Their lives, family and work extend across the international line.

But the Trump administration's recent policy that separated children from their parents and the ramped-up prosecutions of people entering the country illegally, as well as the push to build a border wall, have some feeling that the symbiotic life they've lived here is threatened.

Constantino, 34, was one of a few hundred people who took part in a protest last week outside the federal courthouse in Brownsville, which is in Texas' southernmost tip and just across the Rio Grande from Matamoros, Mexico. Born in Los Fresnos, Texas, about 17 miles north, Constantino's family went back to Mexico when she was 4 and then returned later.

Like others who live in Texas' Rio Grande Valley, Constantino is accustomed to the presence of Border Patrol and Immigration and Customs Enforcement (ICE) as part of the community and part of the local economy. Los Fresnos is where the Port Isabel Detention Center is, which is operated by ICE and where many of the parents who were separated from their children and

prosecuted on charges of crossing the border illegally are being held.

Constantino told NBC News she feels immigration authorities' presence in the Rio Grande Valley has become more aggressive.

"We are all brown and we can be their targets. Now we actually have to prove who we are and if we have papers or not, and in the past, it wasn't like that," said Constantino, who held a sign at the protest that read "Love thy Immigrant Neighbor."

"Now it feels like they are taking any opportunity to arrest anyone," she said. "It's like now, we don't feel comfortable about them. Their strategy changed."

Isis Avalos, 32, said she didn't realize how unique the Rio Grande Valley border area is until she left for Los Angeles.

Originally from Mexico, she lived undocumented in the U.S. She said she grew up seeing young people cross the border to attend school or to go to Mexico to get cheaper medical care.

"Our border culture is always going back and forth," said Avalos. "A lot of us have family just on the other side of the river, so we visit our families every weekend or we go out to eat."

"It's a symbiotic relationship we've had with each other," she said.

Thousands of vehicles and pedestrians flow back and forth across the border, legally engaging in the commerce that makes Mexico the United States' third-largest trading partner and the United States, Mexico's largest.

Many residents know that amid that flow are goods and people who cross illicitly, some to do harm but many hoping to escape violence, poverty and oppression, as some of these residents' know their ancestors may have done.

Avalos lamented seeing, on a return trip from Matamoros to Brownsville, that Customs and Border Protection (CBP) officers were stationed on the bridge just inside the international line that marks where the United States ends and Mexico begins.

CBP officers, usually positioned at the start of the bridge on the U.S. side, started stationing themselves on the line after the Trump administration implemented its zero-tolerance policy. By American and international law, a person must be allowed to make an asylum claim after stepping on U.S. soil. There have been complaints that inspectors have been stopping people who want to claim asylum and telling them the processing center is at capacity and they should return later.

"Just yesterday I looked over to the Rio Grande/Rio Bravo and there were Border Patrol boats running up and down the river," said Avalos. "I felt the

presence of this constant looking over and it didn't use to be that way."

But she also said she knew some of the officers on the bridge and at the port of entry. They had been high school classmates and childhood friends; she greeted some with hugs and hellos and they caught up with each other and discussed where their lives had taken them.

Some of her former classmates work for Southwest Key, which runs a converted Walmart that is now housing unaccompanied children and those separated from their parents.

"Being from the border, you have to learn that sometimes it comes down to people need jobs, people need to survive," Avalos said. "Crossing the bridge and realizing I know these people that are these Customs agents now — [it] brought things back to the human to human level."

Kevin García, 35, was born and raised just outside Brownsville and is now living in Austin. Border Patrol's vehicles were always a presence when he was growing up. He recalls not thinking much about them.

The recent family separations, though, have cast a new light on the immigration and border authorities' presence, said García.

"You see them," he said, "and they have a different meaning now."

There is another aspect of the border that its residents know as part of its existence. The movement of contraband across the two countries is as old as the border itself, whether it was liquor during Prohibition or the illicit drugs that are bound for users in the U.S. interior.

Sometimes the contraband is people. Along with the hundreds of thousands apprehended each year trying to enter the U.S., there are thousands of Americans — mainly retirees — who live illegally in Mexico.

There are 16,605 Border Patrol agents on the nearly 2,000-mile Texas-Mexico border, guarding areas that are between the U.S. ports of entry, which are the legal entry points for immigrants. Texas' Rio Grande Valley sector has the most agents with 3,130. In addition to stopping illegal immigration, they seize hundreds of thousands of pounds of illegal drugs each year.

But illegal immigration has hit historical lows. Despite spikes in recent months, the number of apprehensions from October to May of 2018 (the first eight months of the fiscal year), 256,857, is less than what it was during the same period the previous year, 310,531. That's also substantially lower than in 2016, when the number was 415,816.

Apprehensions vary by sector and the Rio Grande Valley sector, with six stations on the border, has actually

seen a drop in arrests of families and unaccompanied children crossing the border illegally during the period from October to May. The Trump zero-tolerance policy of prosecuting all people charged with entering the U.S. illegally and separating families from children began in earnest in the Rio Grande Valley in the second week of May.

In an interview for NBC Dateline's report "The Dividing Line" that aired Monday, Rio Grande Valley Border Patrol Sector Chief Manuel Padilla said there is an adversarial relationship between Border Patrol and humanitarian groups, largely by virtue of the focus of their missions.

"But it doesn't have to be adversarial. I have many a good friends that came together to develop initiatives in order to save lives. And saving lives by working together — educating people not to place their lives in the hands of smugglers — identifying smugglers ... and just collectively working to save lives where the two missions or the purposes meet," Padilla said.

Often not seen or talked about is that Border Patrol agents often rescue people from the desert or river, he said.

"Here, in the Valley, we are one of the biggest law enforcement agencies, said Padilla. "And just where we have the presence ... we act as first responders."

In the Laredo sector, which is not part of the Rio Grande Valley but is on the border, agents average arrests of 100 to 120 people a day who are trying to cross the Rio Grande into the U.S., according to Gabe Acosta, CBP assistant chief patrol agent who spoke with NBC News. Arrests can only be made on U.S. soil. The river is international territory, Acosta said.

During a patrol last month with an NBC News crew in tow, agents encountered two separate, small groups of immigrants, including one with a woman who said she was six months pregnant. Agents were taking her for medical care.

"Scenarios like this group of illegal aliens, drugs coming across the borders, it's an everyday occurrence," said Acosta. "It happens on a consistent basis and it's not just a matter of where, it's when."

Sepulveda and Yoder, who had stopped at a McAllen gas station, say there's need for a strong Border Patrol presence, perhaps more of one, and they feel safe in McAllen when they see it.

Yoder said he likes the helicopters and wishes there was more of a border enforcement presence.

"They are doing what they need to do," Sepulveda said of the Border Patrol. "Not a day goes by we don't see a story about a stash house (where immigrants are held until smugglers are paid) being found," he said.

But he and Yoder drew the line at parents being separated from children.

"I don't like that," Yoder said.

Residents maybe have grown "callous" about the growing immigration enforcement presence in the Rio Grande Valley because border and immigration officers are a regular part of life here, said Michael Benavides, an education administrator who attended the protest in a park in front of the federal courthouse.

Benavides said the family separations may have woken people up and "exposed" the community to the effects of immigration policies that go too far.

Benavides, originally from San Benito, Texas — the birthplace of the bilingual country, rock 'n roll and Tejano musician Freddy Fender — said he was so disturbed by the Trump administration's forced family separations, he felt compelled to participate in the protest.

He and his friend Sergio Cordova, 51, born and raised in Brownsville, held a homemade "clothesline" on which they had hung seven baby "onesies." The onesies were stenciled with the black letters R-E-U-N-I-T-E.

Cordova, also an educator, said he became unsettled when Trump instituted his zero-tolerance policy that has led to 70 or more people a day appearing before a federal judge at once on misdemeanor charges of illegally crossing the border, waiving their rights to a trial and declaring themselves guilty.

His indignation rose as he saw reports that CBP officers were stopping people from seeking asylum on international bridges so they could not get to the port of entry to make the claim. The child separations, however, were the heartbreaker, the "straw that broke the camel's back," he said.

"I accept we do need a strong border, but we also need to accept people with humanity," he said. "I understand we have an immigration issue, but people should always come first."

Before Family Separations, Trump Quietly Removed Protections For Migrant Kids

[Salon](#), July 6, 2018

Thousands of children separated from their parents after crossing the U.S. border eventually may be reunited, but children's chances for asylum are slimmer than ever, thanks to a series of recent policy changes under the Trump administration.

Many of the changes happened quietly over the last 18 months, short-circuiting opportunities for children to get help and prove whether they are entitled to refugee status or asylum. Most give more power for final

decisions about child deportation to officials at the border.

"The message is . . . if you come to the border, you are going to be detained and quickly removed," said Charles Wheeler, a veteran immigration attorney who oversees training and advocacy in Oakland, California, for the Catholic Legal Immigration Network.

The recent shifts preceded the new policy to separate children from the adults they traveled with to get to the Mexico-U.S. border, and even if the executive order to reverse course holds, they will outlive that effort.

Laura Barrera, an immigration lawyer in Las Vegas, is representing a 10-year-old boy whom the federal government is considering deporting. After crossing the border from Mexico alone, the child was picked up by immigration authorities and eventually placed with a stepparent – a legal U.S. resident.

But Barrera says the future of that child, like many others, is far from certain because of the steps the Trump administration has taken in recent months, including:

Collecting and sharing more information, including fingerprints and resident status of adult sponsors and other adults in the household of children awaiting decisions. This data collection can discourage relatives or family friends already in the U.S. from coming forward to help the child, possibly leaving the child waiting in federal detention for months. However, administration officials counter that the data collection will enable officials to do a better job of keeping track of unaccompanied children while they await deportation decisions.

Allowing immigration judges to revoke the designation of "unaccompanied" to exclude children from that category once they are placed in the custody of a responsible adult. This means children lose certain rights that give them extra time to make their claims, including at least two opportunities to collect documents and make a case to fight deportation.

Requiring lawyers from the Department of Homeland Security to oppose any delays in deportation proceedings. Previously, state courts and federal agencies were given time to find safe housing for children while they determined the risk of returning them to their home country. "Now the Department of Homeland Security is fighting everything," said Ashley Tabaddor, an immigration judge in Los Angeles and president of the National Association of Immigration Judges.

Making it easier for a federal immigration judge to discount the validity of children's testimony about the dangers they face. In recently issued guidelines, the Justice Department cautioned immigration judges that

vague, speculative or generalized testimony may not meet the burden of proof required for asylum or refugee status. Critics say that contradicts immigration courts' own requirements that judges take into account a child's age, the fact that the child arrived in the U.S. unaccompanied and that he or she may be acting without a lawyer.

Failing to renew a federal program that provided legal help to unaccompanied children. The AmeriCorps program had provided \$4.4 million to nonprofit organizations that trained and recruited lawyers. It was not renewed nearly a year ago, even though the Vera Institute of Justice, a nonpartisan contractor and think tank with a long history of working with the Department of Justice, had found in a 2016 report that the program helped immigration courts run more smoothly. In early June, another program that would have provided legal aid to some unaccompanied children through funding from the Department of Health and Human Services was put on hold.

One child's experience

The experience of Fatima Aleman Rodas, 14, was typical of how things worked before the Trump administration began changing procedures and challenging claims that children face greater risk in their home countries than in the U.S.

Fatima, who recently finished eighth grade in Bakersfield, California, fled El Salvador to join her mother and two brothers, who arrived several years ago and work in the fields. Fatima and her older sister, Brenda, had stayed behind in El Salvador, enduring a five-year separation from family members who had slipped into the U.S.

A few months before the 2016 presidential election, Fatima and Brenda walked for more than five weeks, eager to escape gang violence that included threats from Brenda's father.

"We slept in the countryside," Fatima said in Spanish. "People gave us food."

Occasionally, they took a bus, and a relative had arranged some assistance from "coyotes" — men paid to help smuggle people across the borders.

When the sisters reached the U.S. border near Reynosa, Mexico, they were able to walk across, Fatima said, but quickly were spotted by U.S. immigration officials, picked up and separated.

Fatima was sent to a center for children in Texas, then to New York. Because of her age and because authorities were able to determine that they could release her to her mother — with help from the legal aid program that was not renewed — Fatima was released from detention after about a month. Until recently, that was pretty standard for many unaccompanied children.

Brenda, who was 24 at the time, was detained a few weeks longer.

Now the family is applying for asylum.

Fighting state courts

Until recently, the federal government turned to state courts — which routinely deal with child welfare and custody issues — and the Office of Refugee Resettlement in the Department of Health and Human Services to determine where children would be safest.

Those decisions sometimes take months or years, as children or appointed representatives gather documents and other information about their families back home and in the U.S.

The administration's lawyers now routinely oppose efforts by lawyers for unaccompanied children to delay deportation. When a state court does rule that staying with a guardian or parent in the U.S. is in the child's best interest, Trump administration attorneys frequently challenge those findings.

Department of Homeland Security spokesman Tyler Houlton cited concerns about the trafficking of children to explain some of the policy changes.

"There have been numerous intelligence reports and cases where kids have been used and trafficked by unrelated adults in an effort to avoid detention," he said in a March statement.

Last month, U.S. Attorney General Jeff Sessions amplified that, saying at a criminal justice conference in Scottsdale, Arizona: "If you are smuggling a child, then we will prosecute you and that child will be separated from you as required by law."

Sessions also appeared to equate smuggling with any illegal entry with or without a parent, not just human trafficking.

"If you cross this border unlawfully, then we will prosecute you," he said. "It's that simple."

Critics say targeting children is one route to achieve the broader administration goal of halting illegal border crossings and deterring family reunification even when some family members already are legal U.S. residents.

"This is the demonization of all immigrants and in particular the demonization of children," said Jeanne Atkinson, executive director of the Catholic Legal Immigration Network.

Seeking legal aid

Hector, 20, also was represented by a nonprofit that had benefited from the AmeriCorps funding. Hector, who asked that his last name not be used, left Guatemala when he was 17 and now lives in Maryland with relatives who have received asylum.

Several family members were killed in what Hector said were revenge killings after another relative had been involved in a murder.

"They killed my family," he said in a recent interview with *Reveal*, which his attorney, Jennifer Bibby-Gerth, observed. Hector met Bibby-Gerth through Catholic Charities, one of the most active nonprofits seeking to help immigrants. "First, they shot my uncle, then they killed my grandfather and shot my mother, then another uncle," he said.

Hector talked of boarding a bus and traveling alone for 15 days, rarely with enough to eat. He crossed the U.S. border at night near Reynosa, Mexico, he said, swimming across the Rio Grande.

Hector walked alone for about a day, he said, searching for food and water. Then he was picked up by immigration officials and taken to a youth detention center in Texas.

While there, he turned 18 and was transferred to an adult detention center. He eventually connected with Catholic Charities in Houston, made his way to his relatives in Maryland and awaited word from the government about his petition for asylum.

His first petition was turned down two years ago by a hearing officer, but Bibby-Gerth filed an appeal, which is pending.

"The asylum officer was wrong," Bibby-Gerth said. "It was one of the strongest cases for asylum I had ever seen."

Hector was lucky. Michael Kagan, director of the University of Nevada, Las Vegas Immigration Clinic, said the demand for lawyers to represent children far outstripped the supply even before the recent cuts.

"The idea that anyone should go into deportation proceedings without any attorney really raises serious questions about whether immigration court is fair to people," he said.

Children are especially vulnerable, he said. Not only are they young — some as young as 4 have been left to represent themselves — but some cannot read in any language.

The Las Vegas law clinic began with funding through the AmeriCorps program. When Kagan learned in spring 2017 that the Trump administration would not be renewing the program (it formally ended in the fall), the clinic was able to get a sizeable grant from a local law firm to continue its work.

But similar clinics around the country had to shut down their legal aid to unaccompanied kids, even while they were able to provide other immigration services.

Sarah Lackritz, a spokeswoman for Equal Justice Works — the nonprofit that administered the program for the Justice Department — said the organization is

seeking new ways to assist legal clinics that had provided aid to unaccompanied children. Among them: trying to place legal fellows, including newly minted attorneys, in the clinics.

"We care about this work and are committed to finding new sources of funding to ensure that we have as many fellows working in the public interest field as possible," she said in an email.

A lengthy process

The legal process from U.S. entry to a decision can take years — partly due to a caseload that grew as border crossings increased without commensurate growth in the ranks of federal immigration judges.

In a Dec. 5 memorandum, Sessions said the Justice Department was moving to hire more immigration judges. By May, the court backlog had grown to 714,000 cases — over 2,000 per judge.

Bills introduced this year in Congress would further increase the number of immigration judges, and that effort has been moving ahead.

Sen. John Cornyn, R-Texas, chairman of the Judiciary Committee's subcommittee on border security and immigration, said he would support hiring more judges and wants to ease the backlog. In his home state, he said the wait for a final determination of legal status is nearly 900 days — about two and a half years.

Cornyn called that unacceptable.

"We know that these long delays can be frustrating and affect the lives of aliens with legitimate claims for relief," he said at an April subcommittee hearing. While pushing for more immigration judges, he also has been trying to toughen penalties for those who enter the U.S. illegally.

Like President Donald Trump, Cornyn complained that the immigration system, including its courts, is failing to ensure that those who are granted a reprieve from deportation actually deserve to be in the U.S. Trump has been highly critical of the Department of Homeland Security and has blamed procedural delays for enabling gang members and criminals to slip across the border under the guise of seeking refugee or asylum status — some as unaccompanied children.

"We need to fix the loopholes in current laws that hamper the government's ability to bar criminals, gang members and sex offenders from entering the United States or from being removed," Cornyn said at the hearing.

As part of its effort to speed up deportation, the Trump administration has announced plans to impose a quota system on cases for already overworked immigration judges. Ashley Tabaddor, the Los Angeles immigration judge, said that may force them to close cases sooner than when the system has meted out due

process to those applying, making it more likely that immigration court decisions could be overturned on appeal.

State courts and U.S. Citizenship and Immigration Services, part of the Department of Homeland Security, also are experiencing substantial backlogs in their assessments of unaccompanied children.

But they are widely considered by immigration lawyers to be well-suited to handle cases in which the "best interest of the child" standard is applied.

Turning instead to border hearing officers for those assessments could lead to more reversals, Tabaddor said. Hearing officers at the border and immigration judges in courtrooms across the country are being urged to make speedy decisions. They may lack pertinent information simply because the child — or his or her attorney — hasn't had time to gather it.

IMMIGRATION ENFORCEMENT

Illegal Immigrant Suspected In Ohio Teen Rape Captured In Texas

By Will Racke

[Daily Caller](#), July 6, 2018

An illegal immigrant suspected of kidnapping and raping two teenage sisters in Ohio has been captured in Texas following a nationwide manhunt, according to police.

David Ramos Contreras, 28, was arrested Thursday by deputy U.S. marshals and police officers in Lubbock, Texas, where he was found inside a home hiding under a bed.

Along with three other suspects, Contreras is accused of sexually assaulting and holding 13- and 14-year-old sisters against their will at a Days Inn in Bowling Green, Ohio, where the girls were staying with their mother. Two of the suspects, Juan Garcia Rios Adiel and Arnulfo Ramos, remain on the loose, and a fourth, Simon Juan, is in custody in Ohio.

Contreras had been on the run since June 28, when the girls' mother reported the incident to police. Tips received over the last two days allowed investigators to track him from Bowling Green to Lubbock, investigators said.

"Information was developed placing Contreras in Lubbock, Texas after investigators for the U.S. Marshals Service and Bowling Green Police followed leads and tips developed over the last two days," Lubbock police said in a statement Thursday, according to the Lubbock Avalanche-Journal.

Authorities believe that all four suspects are in the U.S. illegally. A search of the Days Inn room where they

were staying turned up fake identification documents, including a bogus U.S. permanent resident card issued out of Florida.

Contreras is a Mexican national who was deported from the U.S. in October 2017, according to police. He will be extradited back to Ohio to face charges, FOX 8 Cleveland reported.

The whereabouts of the two at-large suspects — Juan Garcia Rios Adiel and Arnulfo Ramos — are still unknown. The U.S. Marshals Service's Northern Ohio Violent Fugitive Task Force and Bowling Green Police are seeking assistance from the public in locating the men.

Before moving to Ohio, Ramos previously lived in Texas and Adiel lived in Florida.

Driver Pays \$280 Fine, Ending Md. Traffic Case After Deaths Of Two Law Enforcement Officers

By Dan Morse

[Washington Post](#), July 6, 2018

The driver of a Honda Accord that fatally struck an FBI agent and a fire investigator on the side of a Maryland highway has paid a \$280 fine, concluding a case of negligent driving lodged against him.

Roberto Garza Palacios, 28, did not have to appear in court and did not receive jail time, according to court records and lawyers involved in the case, which ended with the June 25 payment.

The outcome reflected what prosecutors had concluded about Garza Palacios's driving the night of Dec. 8 and how state laws could be applied.

While he drove in a "careless and imprudent manner," prosecutors found, his actions did not rise to a "gross deviation" from careful driving or a "reckless disregard" for human life — the conditions needed to support more-serious charges.

The night of the crash, Garza Palacios had been driving south on Interstate 270 in Montgomery County, with two passengers.

Ahead of him were two off-duty law enforcement officers who had stepped out of their personal vehicles: Carlos Wolff, 36, and Sander Cohen, 33, both standing on the left shoulder.

Wolff, an FBI agent, had crashed his car into a concrete median after reaching for his cellphone and becoming distracted while driving south on I-270, a Maryland State Police crash investigation later determined. Cohen, an arson investigator who was passing by, had pulled over to help and put on his hazard lights to warn other drivers.

Garza Palacios drove up on the scene from behind and told investigators he could not swerve right, because cars were in that lane, so he went left, not seeing the two men.

"This case is about an unfortunate accident. Mr. Garza Palacios feels terrible about the situation," said his attorney, Asim A. Humayun.

After he reached for his cellphone, Wolff's Acura SUV veered left, crashed into the median wall, careered back toward the far-left traffic lane and came to rest, according to a Detailed Crash Investigation Report compiled by state police.

Wolff got out of his vehicle and walked to the concrete wall.

Cohen by chance was headed down the same highway, saw the disabled SUV, pulled in and put on his warning hazards and called for help before walking to the median. The men were at the side of the road for only a few minutes, state officials said.

As Garza Palacios drove up on the two cars, he should have reacted more quickly, according to the state police findings.

When he tried to react, he told investigators, a car was to the right of him. He then veered left, striking Wolff and Cohen and sending them over the concrete wall. He told investigators he had not seen the men.

Wolff died at a hospital. Cohen — thrown into the path of northbound interstate traffic and hit by another car — was pronounced dead on the scene.

None of the four drivers in the incident were found to be drunk, high or speeding, state police wrote.

The northbound driver who hit Cohen after he and Wolff were propelled over the median did nothing wrong, the state police report stated, describing her as driving at a legal 55 mph when she suddenly saw a body horizontal across the lane she was in, three feet ahead of her Acura sedan.

Garza Palacios, a Guatemalan native, still faces possible deportation. On May 3, officers from Immigration and Customs Enforcement took him into custody at his home in Gaithersburg and charged him with overstaying and violating the terms of a work visa that had expired in 2009, according to ICE officials.

Three years earlier, ICE learned he had been arrested in Montgomery County and asked jail officials to place a hold on him, but that request was not honored and Garza Palacios was released, according to county and federal officials.

Humayun said the immigration case is ongoing but declined to discuss it.

Garza Palacios had previous traffic and criminal convictions. In a 2015 case, he pleaded guilty to driving while impaired. Around that time, he also served about

four months in jail after being arrested for smashing windows on about 16 cars and lighting a sofa on fire near a construction site.

After the traffic case concluded, Wolff's widow, Marla, said that particularly given Garza Palacios's record, the penalty in the recent case seemed woefully inadequate. "It's ridiculous," she said. "He just pays \$280, and that's all he has to do."

Marla Wolff and her children — 7 and 3 — are trying to rely on a support system of friends and family members to cope with their loss. On what she calls the "new reality" of Father's Day, the three visited Carlos's grave. At the cemetery, she recalled, she asked her 7-year-old his favorite memory of his father.

"When Daddy taught me how to ride a bike" he said.

More Reasons For Immigration Officials To Start Deportation

By Daniel Shoer Roth

[Miami Herald](#), July 7, 2018

The Trump administration has expanded the list of categories for which immigrants can be sent before immigration judges to start deportation procedures against them.

Measures announced Thursday by the Citizenship and Immigration Services (USCIS) will tighten the Department of Homeland Security's controls on immigrants, affecting not only undocumented foreigners but legal immigrants who lose their immigration benefits or status.

The change is tied to Notices to Appear, a document issued to non-citizens instructing them to appear in immigration court. The NTAs normally mark the start of deportation procedures.

A USCIS announcement said its officials will issue NTAs for a broader range of cases such as fraud, criminal activity or when an applicant is denied an immigration benefit. SIGN UP

"For too long, USCIS officers uncovering instances of fraudulent or criminal activity have been limited in their ability to help ensure U.S. immigration laws are faithfully executed," said agency director L. Francis Cissna in a statement.

The new procedures, he added, give USCIS officers more leeway and "clear guidance they need and deserve to support the enforcement priorities established by the president, keep our communities safe, and protect the integrity of our immigration system from those seeking to exploit it."

The initiative is part of the Trump administration's campaign to reduce legal and illegal immigration without

having to obtain Congressional approval. It comes at a time when its "zero tolerance" policy is under harsh criticism for separating children from parents.

USCIS said the revised policy will allow its agents to more easily refer cases to the Immigration and Customs Enforcement (ICE) agency or issue NTA summonses. Those protected by the Deferred Action for Childhood Arrivals act (DACA) are exempt from the change.

USCIS said the new categories for issuing NTAs are:

- Cases in which fraud or false representation is substantiated.
- Cases in which immigrants have abused some of the public benefits available to them.
- Cases in which immigrants have been accused or convicted of a criminal offense, even if criminal conduct was not the basis for the denial.
- USCIS will be allowed to refer cases involving serious criminal activity to ICE before adjudication of an immigration benefit request pending before USCIS without issuing an NTA.
- Cases in which USCIS denies an Application for Naturalization on good moral character grounds because of a criminal offense.
- Cases in which, upon the denial of an application or petition, an applicant is unlawfully present in the United States.

Experts warned that the legal system for processing immigration cases, already painfully slow, will slow even further as more and more cases are referred to immigration courts.

Two Arrested In Wiregrass Set For Deportation

[Dothan \(AL\) Eagle](#), July 6, 2018

Deportation proceedings have begun for two men recently arrested in the Wiregrass and found to have already been deported previously.

According to federal court documents, the United States is seeking the deportation of Crecencio Gerardo Ortiz-Lopez and Alfonso Jimenes-Morales.

Ortiz-Lopez was arrested June 30 by the Dothan Police Department and charged with driving under the influence. The Dothan City Jail contacted Immigration and Customs Enforcement (ICE) and informed officers Ortiz-Lopez had a previously lodged ICE detainer. Using fingerprint identification and other means, federal authorities determined Ortiz-Lopez was apprehended by ICE and ordered removed to Mexico Aug. 7, 2006. Prior to his 2006 deportation, Ortiz-Lopez was convicted of domestic assault, criminal impersonation, public

intoxication and driving under the influence, all in Hamilton County, Tennessee.

Jimenes-Morales was arrested June 1 in Geneva County for driving under the influence and leaving the scene of an accident. A subsequent records check indicated Jimenes-Morales was apprehended by the U.S. Border Patrol on April 30, 2016, and issued an expedited removal order to Guatemala.

Mexican Artist Deported Even As His Art Hangs At Columbia Museum Immigrant Art Exhibit

By Hannah Alani

[Charleston \(SC\) Post and Courier](#), July 8, 2018

PAWLEYS ISLAND — Araceli Maceda wheeled an empty suitcase into her brother's house where everything was exactly as he left it hours before he was detained at work and deported.

Hot sauce on the kitchen table. Hairspray and lotion on the vanity. Color-soaked wooden paint palettes on the walls of his bedroom.

Maceda put the suitcase on the bed. She pulled button-down Oxford shirts from the bottom dresser drawer. She checked WhatsApp again. No updates.

Her brother was likely somewhere in rural Mexico. It was a long bus ride home to Morelos from the federal holding center in Georgia where he had been detained from mid-April until last week.

Maceda and her brother, Felix Baizabal, had not been to their childhood home in Mexico since they both left as teenagers — roughly 15 years ago. In those years, they made new lives for themselves in the Myrtle Beach area. Baizabal, who is colorblind, pursued his career as an artist. And he did so with great success.

Just months ago, Baizabal, 33, was chosen to participate in an exhibit focused on Latino artists and immigrants at the Columbia Museum of Art.

Then he got arrested while working in a Georgetown restaurant.

The shattering of Baizabal's American dream comes at a time when the United States government has increased a broad range of immigration crackdowns, from restrictions on access to political asylum to increased deportations of low-wage workers without papers. The controversy has spurred rallies across the country and calls for empathy from faith leaders and business owners.

This is one story of a family separated in South Carolina.

"He takes care of me all the time," Maceda, 31, said of her older brother. "We know we came illegally."

We don't want to take American-anything. We just want to work. We want to find ourselves." Federal detention

Baizabal and his siblings began working around the age of 12 in Morelos, but he knew what they could earn in a week of work in Mexico was the equivalent of what Mexicans could earn in half a day in America.

When Baizabal turned 18, he followed his older brother to South Carolina. A couple years later, Macea arrived next.

The teenagers worked jobs typical of other Mexican immigrants — maintenance, housekeeping and restaurant work.

Macea helped Baizabal with the first painting he made in Myrtle Beach, a portrait of a horse galloping freely through a forest. Baizabal's eye condition prevents him from seeing variations of dark colors. When Baizabal looks up at a sunny sky, he sees gray, not blue.

Together, they built new lives. Macea joined a local soccer team. Baizabal took art commissions.

Macea met her wife, a Puerto Rican. The two married in 2016. Baizabal met the love of his life, his girlfriend, in 2014.

Life for both siblings finally stabilized financially.

In 2010, Baizabal began working at a restaurant in Georgetown. He worked overtime as a dishwasher, cashier and cook, his sister said, often coming in at 9 a.m. and working until closing. He was paid in cash.

Baizabal knew that his boss, Roberto Garcia, sold antibiotics under the counter at the restaurant.

In Mexico, and in many European countries, antibiotics are commonly sold in stores without prescriptions, so Garcia's practice did not surprise or concern Baizabal, his sister said.

In December, a customer asked him for some of the antibiotics. Baizabal sold five pills marked "Amoxy 500" — amoxicillin, according to the incident report.

He did not know it at the time but that customer was actually an agent with Georgetown County's Drug Enforcement Unit and had been working on a case that centered on the restaurant. In January, agents returned to the restaurant. That time, Garcia sold them 10 pills of Ampicillin, another antibiotic. On April 5, the agents returned for a third and final undercover buy. They purchased more Ampicillin from Garcia, according to the report.

On April 12, the agents filed a search warrant and found containers of a white powder consisting of Amoxicillin and two different types of Penicillin. The agents also found pills, which included other types of antibiotics.

Garcia was in the restaurant during the search and told agents he "knew what he was doing was wrong," according to the report. He was arrested and charged

with dispensing prescription drugs and possession of prescription drugs.

Baizabal had the day off on April 12. He was at home working on a painting when he got a call asking him to come to work. He left his 2-year-old Chihuahua, Luna, at home and drove to work.

When he arrived, the agents arrested him, too, on the charge of dispensing prescription drugs.

'We are not criminals'

The morning after the arrest, Macea waited for her brother outside the county jail.

One hour passed. Then another.

At some point, a white van with an "ICE" sticker drove by. Then Macea realized: Federal immigration agents had taken her brother. Inside, the judge told her that ICE was moving her brother to the agency's temporary holding facility in Charleston.

She drove south on U.S. 17 to the Charleston County Detention Center in North Charleston, where she saw her brother for the last time. He was processed there and quickly moved to Lumpkin, where ICE houses the majority of the undocumented immigrants in South Carolina.

The Post and Courier was unable to corroborate this timeline because there is no federal register to search for people who are in immigration detention. It is unclear how many arrests U.S. Immigration and Customs Enforcement has made in the Palmetto State and how many undocumented residents are housed in Lumpkin.

Macea and her family hired two lawyers — a criminal attorney to fight the drug charge and an immigration attorney to fight for political asylum. With the help of his Myrtle Beach-based criminal attorney Rick O'Neil, Baizabal wrote a letter in which he defended his involvement with the drug sales.

He claimed he did not know Garcia's practice was illegal. He was told Garcia had a license to sell the medicine, he said.

"As owners, they have the responsibility and the obligation to admit the charges and absolve me," he said.

The letter didn't have the desired effect.

While in ICE detention, Baizabal passed time by doing what he loved most. The other detainees awaiting deportation commissioned drawings of their families. Baizabal used his earnings to purchase colored pencils in the commissary.

Baizabal sent a self-portrait to his sister in Myrtle Beach. She was planning to represent him during the May 22 opening of the Ecos exhibit in Columbia.

The picture depicted two images of himself. One was him in an orange jumpsuit, his hands gripping the

bright blue bars of a jail cell. The other was a small shadowy figure walking through a dark tunnel toward a lighted door, which stood under a Mexican flag.

At the top of the piece, he wrote:

"No somos criminales ... buscamos oportunidades!"

"We are not criminals ... we look for opportunities!"

In late June, after failing to secure political asylum, Baizabal volunteered to self-deport.

On the Fourth of July, he was released and boarded a bus bound for Mexico.

In South Carolina, he left his best art behind in the state's capital.

Oral histories interpreted

Macea drove to Columbia on May 22, while her brother was being held in detention, to represent her brother during the opening of the Ecos art exhibit. As she stood in front of her brother's artwork, she held in her hand the portrait he had drawn of himself from inside the ICE holding center.

She teared up as she answered a reporter's questions about her brother's colorblindness.

The oral history her brother had chosen to represent was the story of Carmen, another Mexican immigrant from the Lowcountry. Carmen's path was distinctly similar to her and her brother's, Macea said.

"He was writing his story," she said.

That's exactly what Marina Lopez, of The Citadel's Latin American History program, had hoped for when she came up with the idea for the Ecos exhibit. Palmetto Luna Arts, a nonprofit artist collective, assisted in finding the Latino artists who would interpret the oral histories.

In explanation of the piece, Baizabal wrote that he identified with Carmen's story the moment he heard it.

"From a young age, she grows corn and collects other fruits and seeds," he said. "At the end of the day, she rests her fatigue and contemplates the shade of a large peach tree ... but in her mind, she has the curiosity to know more and cross that border toward the land of opportunity."

Mariana Quezada, a close friend of Baizabal's, helped Macea pack Baizabal's clothes on Friday. She, too, entered the U.S. illegally as a teenager. She no longer drives for fear of getting pulled over, ID'd and deported. She insists on getting rides from Macea, a legal resident.

"It's hard for us, we left all of our family in Mexico," she said.

About 20 of Baizabal's American friends and co-workers wrote letters that Macea hoped to use as character references in the immigration case.

Her brother asked her to pack up his entire apartment in Pawleys Island and to ship his bed, his

dresser, his couch — everything he owns — back to Mexico.

Maceda hopes to visit her brother sometime in September. Until then, she's taking care of Luna the dog. Jesse Naranjo contributed reporting.

California, Long A Holdout, Adopts Mass Immigration Hearings

By Elliot Spagat

[Associated Press](#), July 8, 2018

SAN DIEGO (AP) — A federal judge was irritated when an attorney for dozens of people charged with crossing the border illegally asked for more time to meet with clients before setting bond.

It was pushing 5 p.m. on a Friday in May, and the judge in San Diego was wrestling with a surge in her caseload that resulted from the Trump administration's "zero-tolerance" policy to prosecute everyone who enters the country illegally.

"It's been a long week," U.S. Magistrate Judge Nita Stormes said, suggesting that the court needed more judges and public defenders.

On Monday, the court will try to curb the caseload by assigning a judge to oversee misdemeanor immigration cases and holding large, group hearings that critics call assembly-line justice. The move puts California in line with other border states, and it captures the strain that zero tolerance has put on federal courts, particularly in the nation's most populous state, which has long resisted mass hearings for illegal border crossing.

Immigration cases were light for the first few months of the year in the Southern District of California. There were no illegal-entry cases in February, only four in March and 16 in April, according to the clerk's office. But when zero tolerance took full effect, the caseload skyrocketed to 513 in May and 821 in June.

Those numbers pale when compared to other border districts that have been doing mass hearings for years. The Southern District of Texas' four border-area courts handled nearly 9,500 illegal-entry cases in the eight weeks after zero tolerance took full effect, though those courts saw their numbers balloon too. The District of Arizona carried more than three times California's number of cases in May.

The mass hearings can be traced back to December 2005, when the Border Patrol introduced "Operation Streamline" in Del Rio, Texas, to prosecute every illegal entry. Over the next three years, the practice spread to every federal court district along the border except California, whose federal prosecutors argued that scarce resources could be better spent

going after smuggling networks and repeat crossers with serious criminal histories.

In Tucson, Arizona, a judge sees up to 75 defendants a day, about five to seven at a time, in hearings that last about two hours. The immigrants show up in the clothes they wore when they were arrested, wearing headphones for translation.

In the McAllen, Texas, federal courthouse 73 people who were cuffed at the ankles lined up in six rows of wood benches. They pleaded guilty at the same time in a morning session last month. About two-thirds were sentenced to the few days of time served. The rest got between 10 and 60 days because they had been previously deported or had criminal convictions.

Carol Lam, the U.S. attorney in San Diego when Streamline began until 2007, said zero-tolerance programs are "ultimately ineffective," saying they boost conviction numbers but don't have a proportionate impact on reducing crime.

"The sentences become much shorter to the point where everyone is getting time served or a few weeks in custody, and they're turned around and come back in again," she said. "At the end of the day, the system grinds down to a halt and things start deteriorating."

Attorney General Jeff Sessions, who has held up Streamline as a model, was the first attorney general to seriously challenge California's position. In May, he announced that the Homeland Security Department would refer every arrest for prosecution, which led to widespread separation of children from their parents. Adam Braverman, the newly appointed U.S. attorney in San Diego, had no room to push back.

When prosecutors in California began trying more cases in May, Chief District Judge Barry Moskowitz formed a committee of attorneys and government agencies to minimize the impact, writing that the increased load would cause "strains, issues and problems."

The court has struggled to get people X-rayed for safety reasons, attorneys say. Jail space has been lacking, requiring some defendants to be housed at jails in Santa Ana and San Bernardino — at least an hour's drive away — and some in San Luis, Arizona, a nearly four-hour drive from San Diego. Court often runs beyond business hours, once lasting until 10 p.m.

The U.S. attorney's office in San Diego said in a statement that it was "committed to securing the border and enforcing criminal immigration laws in a way that respects due process and the dignity of all involved."

The office noted that other districts along the border — in Arizona, New Mexico and Texas — have operated this way for about a decade. Prosecutors from San Diego visited Tucson last month for a firsthand look.

Defense attorneys object to the new court. Reuben Camper Cahn, executive director of Federal Defenders of San Diego Inc., called it separate but unequal and compared it to slavery tribunals.

"They will appear in chains ... their cases will be heard en masse," he wrote the chief judge.

"In this moment, all of us — citizens, lawyers, jurists — must seek the better angels of our nature to navigate the challenges presented," Cahn wrote last month. "If the Court does this, it will surely reject the (Justice Department's) abhorrent proposal."

Associated Press Writer Astrid Galvan in Phoenix contributed to this report.

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Mother Of 9 Deported From Riverside County, Leaving 3 Kids Behind

By Rebecca Plevin

[Palm Springs \(CA\) Desert Sun](#), July 6, 2018

On a Friday in May, 19-year-old Cecilia was returning from school to the three-bedroom house in Hemet she shared with her mother and eight brothers and sisters when some neighbors gave her news she never expected: Her mom, Isabela, who was undocumented, had been picked up by immigration officers, they said.

Isabela called Cecilia later that day. Over the phone, Isabela told her daughter she had been deported to Tijuana with six of the nine kids, five of whom were United States citizens. Suddenly, it was up to Cecilia, who is undocumented, to care for her 14-year-old brother, who is also undocumented, and her 11-year-old sister, a U.S. citizen who has Down Syndrome.

The Desert Sun could not independently verify the details of Isabela's arrest. The newspaper is using the mother and daughter's middle names because they fear subsequent action by immigration officials could split apart the remaining siblings in the U.S.

As the country focuses on a controversial federal immigration policy that led to family separation at the U.S.-Mexico border, Cecilia, her brother and her sister are dealing with their own traumatic separation. The three siblings are now hundreds of miles and a border away from their mother — a consequence Isabela never planned for. Now, Cecilia is struggling to determine how she will care for her siblings, especially her sister with special needs.

Despite the risk of speaking out, Cecilia said she's sharing her story so others know to create a family

contingency plan, in case an undocumented parent is unexpectedly removed from the country.

"I want to tell other people that they should be prepared and leave that letter to somebody they trust," she said. "I don't want them to suffer what we're suffering." "The only thing I have left'

Cecilia, her 17-year-old sister and her 14-year-old brother were born in Baja California. They came to Riverside County more than a decade ago. She has fond memories of her siblings pulling her long, dark hair, making her laugh and scream.

In California, her mother had six more children, who now range from 11 years old to eight months old. Cecilia said she and her sister would take time off from school to care for the babies, while her mother worked long days as a housekeeper. They changed diapers and tried to stop the children from drawing on the walls.

"It was pretty much like a preschool," Cecilia said of the family's house.

But on that Friday in late May, the house was empty and quiet. Cecilia isn't totally sure what happened. She thinks her mom and the younger kids were walking to school. The neighbors said they saw an immigration van. Beyond that, Cecilia said she doesn't know much more.

Hadley Bajramovic, an immigration attorney based in Riverside, suggested Isabela might have had an outstanding deportation order. Otherwise, she said, the mother should have been detained or released on her own recognizance as she made her way through deportation proceedings. But Cecilia said she didn't think her mother had an outstanding removal order.

"We never thought that would actually happen to us," Cecilia said. "My mom was pretty much following the rules, besides just not having papers."

Isabela offered few additional details when she called Cecilia from Tijuana.

"They didn't let her talk. They just threw her over there on the other side," Cecilia said. "She just told me to be strong and not give up on myself."

Cecilia avoided going back to the family's house, fearing immigration officials would be there. Instead, she called an aunt and asked if she and her siblings could stay with them.

By the time they returned to their Hemet home, about four weeks later, there were "no trespassing" notices on the windows and police tape over the doors, Cecilia said. Without her mom, nobody had paid the rent. The kids lost their clothing and possessions, as well as access to any personal or medical records.

That wasn't all they lost: Cecilia dropped out of high school during the second semester of her senior

year to care for her siblings. But she hit a wall when she tried to enroll them for the upcoming school year.

While Cecilia is legally an adult, her mom left no paperwork making Cecilia the kids' caregiver in case of emergency. She doesn't have the authority to enroll her siblings in school or the state's health insurance program for low-income people, known as Medi-Cal. She hasn't been able to schedule medical appointments for her sister Estrellita, who was born with a hole in her heart, is having hearing problems and needs a dentist appointment.

The Desert Sun is using her nickname because Cecilia fears her sister could be put into foster care.

In the meantime, Cecilia and her two siblings are living with a family they met through TODEC Legal Center, an immigrant advocacy group. She would like to work to support her siblings, but as of now she can't. She never applied for Deferred Action for Childhood Arrivals and the program is currently not accepting new applications.

On Thursday evening, the three siblings gathered at TODEC's Coachella office. Estrellita giggled as she asked her older brother for a piggyback ride. Cecilia, who is quiet and subdued as she talks about her family's plight, lit up when Estrellita showed her a selfie she took on a cell phone.

These days, Cecilia said her biggest concern is keeping her remaining family together.

"It's really important because that's the only thing I have left," she said. "A very responsible thing to do."

Cecilia said she's hoping to travel to the California-Mexico border soon, so her mom can sign papers assigning caregiving responsibilities to her oldest daughter.

There are a few critical steps families can take to avoid this situation, said Jennaya Dunlap, a deportation defense coordinator for the Inland Coalition for Immigrant Justice.

First, Dunlap said they should consult an immigration attorney or a non-profit organization that is accredited by the U.S. Department of Justice to determine if they have an opportunity to gain legal status.

She also recommended families make sure a contingency plan is in place before it's needed. If a parent is detained or deported, such a plan can help children know where to go and what to do, and provide relief to parents, who know their kids are safe and cared for.

She said non-profit groups that serve immigrants can help people prepare and sign a form known as a Caregiver's Authorization Affidavit. The form allows other

relatives to enroll kids in school and make medical decisions.

If families can't access the caregiver form, Dunlap said they should prepare letters specifying who should make decisions on behalf of each kid, in case of a parent's absence. She recommended getting the letters notarized to ensure their validity.

Families should also keep important documents — like birth and marriage certificates, divorce and medical records, and recent tax returns — in a safe place. Parents and kids should also maintain a list of emergency contacts.

Bajramovic, the Riverside immigration attorney, recommended families make this sort of plan with the help of a family law attorney.

"I think it's a very responsible thing to do, especially when you have [immigration agents] picking people off the streets like this," she said.

Albany County Jail Maxes Out With 100 More ICE Detainees

By Massarah Mikati

[Albany \(NY\) Times Union](#), July 6, 2018

COLONIE — The Albany County jail on Thursday received another 100 men who were detained on immigration charges at the U.S. border, and the jail is now maxed out with 330 U.S. Immigration and Customs Enforcement detainees, Sheriff Craig Apple said Friday.

Apple said last week that the 1,040-bed jail had contracted with ICE to help house immigrants arrested on "low-level" offenses. He said the county receives \$119 per day for each detainee and they are being held in air-conditioned areas of the jail that are separated from the general population.

"These aren't your typical inmates. The reality is they really shouldn't be inmates at all," Apple said. "When you go in, they're all smiling and happy. I chatted with a couple that could speak English."

Sarah Rogerson, an Albany Law School professor and director of the school's immigration law clinic, said, "many of the detainees were federally prosecuted for an unlawful entry," even those who had presented themselves at a legal portal of entry.

Officials at Albany Law School, in conjunction with the nonprofit Legal Project, are providing the immigrants with legal representation and translators, and more volunteer attorneys and interpreters have traveled to the jail from across the state. Rogerson said the effort to assist the immigrants is part of a statewide effort to recruit attorneys, law school students and interpreters. Apple said over 300 attorneys and interpreters have

voluteered to help interview the immigrants to ascertain their status.

Many of the men held at the Albany jail have not had their credible-fear interviews with U.S. immigration officials, which are required to determine if they may have a right to asylum in the United States.

Rogerson said incarceration of the immigrants is not required and federal programs in which immigrants without legal status are paired with case managers — who help keep them on track with scheduled hearings and immigration procedures — have been successful in ensuring that immigrants do not abscond.

"There are alternatives to detention," she told the Times Union last week.

Apple said he and his staff are doing what they can to ensure the detainees are treated well and get due process.

"When you see these people get off of a plane, obviously dirty, some sickly ... this is 2018, we're in the greatest country in the world and we can treat people a little better," he said. "We're showing people Albany County is a compassionate county, and I think we can set an example."

The day after the arrival of new detainees, protests against ICE led to a closure of the agency's Latham office on Friday.

Beginning at 7 a.m., at least 150 people went to the local U.S. Citizenship and Immigration Services office throughout the day to speak out against the agency and call for its abolition.

"Our goal was to show folks who come to this office that they're not alone," said Sean Collins, a member of ICE-Free Capital District. "ICE and immigration protocols in effect right now are still actively tearing families apart."

In a press statement, Public Affairs Officer Anita Rios Moore said the agency closed the Latham site for safety purposes "in accordance with office policy."

"What these demonstrators may not realize," the statement continued, "is that they are actually hurting the people they are trying to help when their actions prevent immigration officers from doing their jobs, adjudicating benefits for those who have applied and now are unable to attend their scheduled appointments."

Collins said the accusation that demonstrators are hurting immigrants is bogus, saying that the office could have continued its work.

"I've been here since 7 a.m. and seen at least 30 folks coming in and out trying to make their appointments, and they were never notified that they were going to have to reschedule," he said. "It just shows that they don't have any regard to the humanity of these

folks who are just trying to live and support their families."

Immigration Enforcement Agency Still Iced Out Of DACA Info

By Laura D. Francis

[Bloomberg BNA](#), July 6, 2018

U.S. Citizenship and Immigration Services is continuing to follow its policy of not providing Immigration and Customs Enforcement with the personal information of immigrants who apply for the Deferred Action for Childhood Arrivals program.

The USCIS will continue to follow 2012 guidance on whether an applicant's information can be shared with Immigration and Customs Enforcement, and if so, when. This is according to a policy memorandum released by the agency July 5. The policy applies to processing of DACA applications as well as decisions on whether to terminate a person's DACA protections.

The Obama administration program provides deportation protection and work permits to young, undocumented immigrants who came to the U.S. as children. But the Trump administration said it will end DACA and has increased its immigration enforcement efforts generally, creating uncertainty for DACA recipients.

The new memorandum is intended to clarify how those enforcement efforts apply to DACA.

Under 2012 guidance, the USCIS can't share a DACA applicant's information with ICE unless the person meets the criteria for a "notice to appear" (NTA) for removal proceedings. The information could be shared if the person presents a public safety or national security threat, has committed certain crimes, or has engaged in fraud.

The USCIS released a new NTA policy memorandum July 5 that broadens these categories for other immigrants and asylum seekers. That new policy doesn't apply to DACA, the agency said.

Lawsuits Pending on Appeal

A federal judge in California halted the USCIS' practice of automatically terminating DACA recipients' protections if they received an NTA.

DACA recipients can lose their eligibility for the program if they commit certain types of crimes. The recipients in the lawsuit—which has been allowed to proceed as a class action—say they were handed NTAs based on accusations that they committed crimes that disqualified them from DACA. They didn't actually commit those crimes, they say.

Judge Philip S. Gutierrez of the U.S. District Court for the Central District of California earlier this year said

DACA recipients have the right to notice and the opportunity to respond before their protections are revoked.

That case is on appeal before the U.S. Court of Appeals for the Ninth Circuit, as is another lawsuit challenging the Trump administration's decision to end DACA entirely. The program continues to operate under a handful of federal court orders.

Miami, FL Woman Deported Over Two-decade Old Pot Case

By David Ovalle

[Miami Herald](#), July 5, 2018

The feds don't forget. Ask Fanny Lorenzo.

She was a legal U.S. resident when agents arrested her as part of her husband's secret indoor marijuana growing ring in South Miami-Dade. The year was 1997. Lorenzo pleaded guilty, cooperated with prosecutors and successfully served five years of probation.

Lorenzo maintained and renewed her legal residency, divorced her husband, bought a trailer home and raised a son who became a U.S. Army soldier. Lorenzo never was arrested again. She even traveled several times to her native Nicaragua to visit family.

But then last fall, while Lorenzo was returning to the United States after again visiting relatives in Nicaragua, customs officers at Miami International Airport flagged her, citing her two-decade old criminal conviction. Lorenzo was allowed into the country, but within weeks, authorities revoked her green card and she was locked up in a detention center, where she stayed for more than four months. [SIGN UP](#)

Finally, late last month, Lorenzo was deported back to violence-wracked Nicaragua — for her, a stunning turn because she thought the blemish on her record was ancient history. But under President Donald Trump's hardline stance on immigration, legal permanent residents with old criminal cases such as Lorenzo are increasingly being targeted for deportation, a crackdown that critics say tears at the fabric of immigrant-rich regions such as South Florida.

"I never thought they were going to deport me. I'm not a delinquent," the 50-year-old Lorenzo said this week via phone from Managua. "I thought for sure, this was 20 years ago, if they see my record, my record is impeccable."

Said her lawyer, Evelyn Alonso: "Fanny's case is unique because her deportation offense happened approximately 20 years ago."

Stricter immigration enforcement has been a signature issue for Trump, who also instituted a policy of

"zero tolerance" for border crossings, prosecuting undocumented immigrants instead of immediately deporting them. That led to forced separation of parents from their children at the border, and kids being housed in detention camps that outraged the public.

Deportations have continued at a brisk pace, even to countries torn by strife and poverty, such as Nicaragua and Venezuela. In addition, the U.S. Department of Homeland Security started a task force targeting naturalized citizens who commit crimes or lie about their criminal past in applying for citizenship.

Then there's a wider net cast to go after legal permanent residents such as Lorenzo who have "deportable" offenses on their records.

According to data complied by the nonpartisan research center TRAC, between May 2013 and February 2017, over 75 percent of immigration court cases involved people who had only recently arrived to the United States. That coincided with the Obama administration, which — faced with gargantuan backlogs — prioritized deporting undocumented immigrants who had only recently entered the country.

But upon entering office, Trump issued a directive to essentially go after everyone who was in the country illegally.

The data from TRAC, which stands for Transactional Records Access Clearinghouse, show an uptick in cases against people who have lived in the country at least two years or more.

For instance, in March, 43 percent of new immigrant cases brought by DHS involved people who arrived more than two years before. That's a sharp contrast to the last full month of the Obama administration, when only 6 percent of new cases were filed involving people who had been in the country at least two years, according to data from TRAC, which is compiled through Syracuse University.

The blanket enforcement policy strips immigration authorities of common-sense discretion, said Royce Bernstein Murray, the policy director at the American Immigration Council, which opposes Trump's policies.

"It's another of these tragic stories, an outgrowth of the way this administration goes about immigration enforcement," Murray said. "No one benefits when someone who is a long-time resident and is not a risk to public safety gets picked up and sent away. There is no focus or priority on public safety in a meaningful way."

A U.S. Customs and Border Patrol spokesman declined to comment because of privacy laws. He stressed that in general, with CBP's "critical national security mission," officers can look at a host of criteria to determine whether someone can get into the country, including prior criminal convictions.

Lorenzo never thought her conviction for a non-violent offense would haunt her decades later.

She came to the United States from Nicaragua in the late 1980s, fleeing civil strife in the Central American country. She crossed illegally at Brownsville, Texas, and soon made her way to Miami, a hub for Nicaraguans. She became a legal resident in 1995 after meeting and marrying Endy Lorenzo, an American citizen from Puerto Rico.

It was two years later that federal agents arrested the Lorenzos and eight others for running a ring of clandestine marijuana growing operations inside homes in South Miami-Dade. Lorenzo said the operation was the brainchild of her husband, and she got caught along on the ride.

Fanny Lorenzo immediately cooperated with federal prosecutors. Because of her minimal role in the grow house operation, Lorenzo served no prison time, instead agreeing to five years of federal probation.

"I was young, and I didn't know any better," Lorenzo said. "I didn't feel I was the guilty one. My husband was the guilty one."

Lorenzo's husband went to prison for five years. Lorenzo's defense attorney at the time did not return a request for comment.

Today, because of changes in the law, attorneys and judges are required to specifically inform clients that they could face deportation after taking a plea deal. But in the late 1990s, that wasn't always the case — and Lorenzo's plea deal to keep her out of prison was a no-brainer.

"The government made an agreement with a woman. She kept her end of the bargain and atoned for her mistake," said defense lawyer Philip Reizenstein, who is not involved in the case. "Nobody knew 20 years ago that this country would devolve into a society ruled by hate and fear of immigrants. That we could deport a woman who did everything right to make amends for her mistake is cruel and heartless."

Lorenzo acknowledges she was ignorant. "I thought I would be OK because I didn't go to jail," she said.

She completed her probation without any problems, court records show. Lorenzo said she paid back over \$10,000 to Florida Power and Light for electricity stolen during the illegal marijuana operation.

Over the next two decades, Lorenzo set about rebuilding her life with her young son, also named Endy Lorenzo. She worked at a clothing warehouse for several years, while saving up money to buy a place at the Li'l Abner Mobile Home Park, a blue-collar community in Sweetwater.

Now, 23, her son graduated high school in Puerto Rico and joined the U.S. Army, where today he is stationed at Fort Bliss, Texas as part of the 11th Air Defense Artillery Brigade.

Lorenzo also went to school, earning her Florida license to become a dental technician. She worked for the same dentist for over a decade and even applied to become a U.S. citizen in 2014, a request that was turned down because of her conviction.

But the government did not seek to remove her until October, when she traveled to Nicaragua for a family emergency. Upon returning, Lorenzo said, she was detained for over eight hours before she was released in Miami, her passport stamped "paroled."

She was given an appointment at a "deferred inspection" CBP site at the airport in December. Lorenzo said she was told she did not need a lawyer. Lorenzo had to return for a second inspection on Jan. 29 — and that's when she was taken into custody.

Lorenzo spent most of the next four months at the Immigration and Customs Enforcement Belle Glade Detention Center. A legal effort to get her asylum failed.

Now back in Nicaragua, she is staying with extended relatives while relying on remittances from her large family in Miami.

"I've given my life and my years to this country," said her son, who will be deployed along with his Army unit overseas to Japan. "It's frustrating that all of a sudden they are taking away the only person who's been backing me up ever since I joined."

Desperate To Avoid Deportation, She Hasn't Left Sanctuary For 8 Months

By Wyatt Orme
[NPR](#), July 7, 2018

Sandra Lopez hasn't left the house for eight months. If she does, she could be deported.

People come to her instead; the English tutor might stop by one day, the yoga instructor the next. Lopez says these visits are welcome distractions from the boredom that comes with being in sanctuary.

"When you enter sanctuary, you know the date, the hour, the minute, but you don't know when you're going to leave," says Lopez, who's originally from Mexico. "It could be months. It could be years."

While it's difficult to know exactly how many migrants have been provided sanctuary in houses of worship, Lopez is one of at least 42 people whose cases have been publicly documented, according to a tally by the refugee resettlement organization Church World Service.

It's a strategy that comes amid an aggressive push by the Trump administration to crackdown on undocumented immigration. As part of that effort, officers with Immigration and Customs Enforcement (ICE) have stepped up arrests. In 2017, ICE made more than 143,000 arrests, a 30 percent rise over the year before, according to agency statistics.

While ICE continues to raid homes, workplaces and courthouses, an agency spokesman said via email that it maintains its policy against detaining or arresting people in "sensitive locations," such as hospitals, schools or churches.

The U.S. has seen the sanctuary movement before. In response to an increase in Central American refugees during the 1980s, congregations around the country defied immigration laws and opened their doors to those seeking asylum.

It was in that same spirit that the Two Rivers Unitarian Universalist congregation in Carbondale, Colo. received Lopez in October.

Lopez and her husband came to the U.S. from Mexico in 1998. All three of their children were born here. Her deportation order dates back to 2010 when one night that year police reported her to ICE after responding to a domestic disturbance at her home. She and her husband had been arguing and one of their children dialed 911.

For years, Lopez says, ICE granted her stays of removal, but then last fall, they denied her request.

"It was as if they threw a glass of cold water in my face," Lopez says.

Soon after learning her request had been denied, Lopez and her 2-year-old daughter moved into the Rev. Shawna Foster's basement in the congregation's parsonage. Lopez's husband and their two sons remained at the family's home nearby.

She might be safe from ICE inside the parsonage, but it could be years before she can safely leave.

This was a risk the congregation knew when it took her in, but Foster, who lives at the parsonage with her family, says offering Lopez sanctuary was a clear, moral duty.

"If Sandra is deported, that's three children without a mom. Is that really what you want? Is that your sense of justice? Is that what the laws are for?" Foster says.

The congregation eagerly accepted Lopez and her daughter. Any tension that did exist mostly had to do with the fear of retaliation. For example, ICE prosecuting Foster for harboring someone illegally.

Sue Edelstein was on the board of Two Rivers Unitarian Universalist, and wanted her pastor to understand all the risks before taking them.

"My concern was not, 'Oh, oh, we might get in trouble!' It was: If the worst happens, where do we stand and how do we handle it?" says Edelstein.

It's rare for faith leaders to be prosecuted for offering sanctuary. During the movement of the 1980s, for example, it happened only a handful of times. Experts say the optics of federal authorities prosecuting a church official would be terrible. Still, there are no explicit legal protections for those who decide to offer sanctuary.

Foster says she understands the risks, and is prepared to face the consequences, even if it means going to jail and being separated from her children, however unlikely that outcome might be.

"That's what happens to people who are deported every day," says Foster. "Every day in this country, there are kids left without parents. And how could I just say, 'Well no I can't take that risk' when I see it's happening here in this very community?"

Alex, the oldest of Lopez's two sons, is 20, and before his mom went into sanctuary, had been studying to become a mechanic.

"Going through this, it's actually just so infuriating that I don't actually know how to put it into words," he says.

When his mother went into sanctuary, she stopped working and couldn't help him pay tuition, so he dropped out of school.

The congregation has raised thousands of dollars to help the Lopez family make ends meet, and to assist with Sandra's legal expenses.

Alex Lopez is deeply moved by all the support his mom is getting.

"I don't know how to explain it, like the way that [Foster] ... is basically supporting my mom, like, that's what's up," he says.

Still, that doesn't make it any less painful to see his mom confined like she is, he says. For Sandra Lopez and her family, sanctuary is a gift, but also its own form of detention.

Kentucky ICE Raid Leaves Community Crisis In Wake

By Nomaan Merchant
[Associated Press](#), July 8, 2018

Covington, Ky. — It had taken a decade for Brandon Tomas Tomas to establish a life in America: a wife, a steady job and five American-born children. It took 20 seconds for that life to be taken away.

An immigration officer waiting for someone else spotted him and asked an innocuous question: "Cómo estás?" How are you? Then he asked whether Tomas

had papers. In a flash, the 33-year-old Guatemalan was in handcuffs, in the custody of U.S. Immigration and Customs Enforcement, headed to jail and probable deportation.

Many miles away from the U.S.-Mexico border, authorities are separating families in raids that target immigrants at home and at work, conducted in the name of public safety. Most of these raids go unnoticed outside of the communities affected, but they are integral to the Trump administration's broader crackdown on immigration that is leading to more arrests, particularly of people with no criminal records.

Over two days in five towns across northern Kentucky, agents staked out homes before sunup, stopped men heading for jobs, went to warehouses like the one where Tomas had worked for more than a year. By ICE's accounting, 20 men and two women were picked up.

Quietly, a crisis unfolded.

Families barely getting by lost their only breadwinner. Left-behind wives didn't know how to hire a lawyer or how they would afford bonds. Volunteers passed out cash so that bills got paid. Children needed meals, clothes and rides to school, and one school consultant says three students came to her, talking about suicide.

It was still dark out in December when a car pulled up as Edgar Perez Ramirez headed for work. At first, the ICE agents asked about someone else. Then they inquired about his status, learned he was in the U.S. illegally and took him to jail.

Immediately after, his partner, Carmelinda, stopped leaving their apartment to buy food. Their 4-year-old son, Franco, stayed home from preschool for 15 days because Carmelinda was afraid to take him. At first, she told the boy that his father had gone away for work. Eventually, Franco started to ask why his father hadn't come home.

Six weeks later, an immigration judge agreed to release Perez on bond, because he didn't have a criminal record. His brothers and friends chipped in for the \$2,000.

Most days, Carmelinda stays shut up in the apartment with their 1½-year-old daughter, too scared still to go to the grocery store or ride the bus. Perez finds work where he can, but, he says, "We continue with fear."

Operations like this one are not new; ICE conducted at least four in Kentucky under the Obama administration, which in its early years arrested far more people annually than the Trump administration has so far. By the end of the Obama administration, ICE was instructed to prioritize arresting people who had

committed serious crimes, were considered national security threats, or had been ordered recently to leave the country for immigration violations.

An executive order issued by Trump changed those priorities, effectively declaring any immigrant in the U.S. illegally subject to arrest.

"Do I feel bad about the plight of some of these people?" Thomas Homan, ICE's acting director until his recent retirement, said in an interview with The Associated Press. "I certainly do. I'm human. I'm a father. But I have a job to do."

But advocates question whether the raid was worth it, given the suffering they see even now.

"We don't know what's going to happen in the future, because we're still dealing with four or five families that really don't have the person who's a breadwinner at home," says Don Sherman of the local Immigrant Dignity Coalition, who found lawyers to take cases and handed out grocery store gift cards to affected families.

By his count, those arrested had 19 children, most of them U.S. citizens.

Most of the families have little hope of being reunited here, so they have started thinking about a future outside of the U.S.

Alma Vazquez is Tomas' wife. Though he's from Guatemala, she's from Mexico. They met working at a Brazilian restaurant.

Their five children have never visited Mexico or Guatemala. In either country, they'd likely be marks for gangs that assume people returning from the United States have money. But for Vazquez, getting her husband back and keeping her family together is all that matters.

"I tell them it's our turn," she says, "because your father is going to go. If you want to be with your father, you have to go to him."

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CRIMINAL INVESTIGATIONS

Woman Ran School As Front For Foreign Athletes To Avoid ICE

[Associated Press](#), July 6, 2018

CHARLOTTE, N.C. (AP) — A North Carolina woman has pleaded guilty to falsely enrolling foreign teens sought by basketball recruiters and coaches in her small private school.

WSOC-TV reports that Evelyn Mack faces up to 10 years in prison after pleading guilty Monday to a felony

charge of concealing, harboring or shielding unlawful aliens. A federal indictment says she took about \$1,000 per student from recruiters to falsely represent around 75 teens as students in Evelyn Mack Academy.

The Charlotte Observer reports that the school, which she's run since 2000, was authorized to enroll high school students under F1 visas. The indictment says she entered false information into the Department of Homeland Security system to avoid detection by Immigration and Customs Enforcement.

Court records show Mack turned herself in March 2.

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Charlotte School Owner Pleads Guilty To Harboring Aliens

By Ann Doss Helms

[Charlotte \(NC\) Observer](#), July 6, 2018

Evelyn Mack has pleaded guilty to federal charges of using her small private school next to East Mecklenburg High to falsely enroll foreign teens who were being sought by basketball recruiters and coaches.

Mack, who has run the school on Monroe Road since 2000, pleaded guilty this week to a felony charge of concealing, harboring or shielding unlawful aliens. She has not yet been sentenced. She faces up to 10 years in prison and is out on bond.

A federal indictment says Mack took about \$1,000 per student from athletic recruiters to falsely represent about 75 foreign teens as students in Evelyn Mack Academy, which was authorized to enroll high school students under F1 visas. It says she entered false information into the Department of Homeland Security's computerized tracking system, allowing them to avoid detection by the Immigration and Customs Enforcement agency, known as ICE.

The indictment and an affidavit from an ICE agent itemize two instances that happened in late 2014 and early 2015, with the youths' identities concealed. Both eventually enrolled in different schools, the documents say, but Mack failed to update their records. SIGN UP

No details were provided on other cases, but the indictment says that Mack "falsely represented that approximately 75 aliens were full-time students" at Evelyn Mack Academy.

Evelyn Mack is listed in North Carolina private school directories at the Monroe Road location from 2000-2001 to 2016-17. In 2016-17 the academy was listed as having 22 students in grades 4-12.

In 2016-17, state records show the academy received \$25,200 in state money through the Opportunity Scholarship program that provides vouchers for low-income students to attend private schools.

The school does not appear in more recent directories or voucher reports. Court records show authorities issued an arrest warrant for Mack in February and she turned herself in March 2.

Researcher Maria Albrough contributed.

Indiana High School Swim Coach Charged For Alleged Sexual Relationship With Student

By Stu Hirsch

[Northwest Indiana Post-Tribune](#), July 6, 2018

A Carmel High School swim coach faces federal charges for an alleged sexual relationship with one of his swimmers, including an encounter in an Anderson hotel, according to a press release Thursday from U.S. Attorney Josh Minkler.

John C. Goelz, 29, Carmel, is charged with sexual exploitation of a minor and possession of child pornography.

According to the press release, Goelz was arrested Tuesday and remained in the custody Thursday night of the U.S. Marshals Service, awaiting a detention hearing next Tuesday in Federal Court in Indianapolis.

Law enforcement officials said they learned Friday that Goelz might be involved in an inappropriate sexual relationship with a girl he coached at the Carmel Swim Club and on the Carmel High School swim team. Agents and officers found text messages between Goelz and the girl dating to February.

"Further investigation revealed that Goelz and the minor victim had had sex at public parks in Hamilton County, Goelz's residence, and a hotel in Anderson," the press release said. "The investigation further revealed that Goelz filmed the sexual activity with the minor victim at the hotel in Anderson, using his cell phone, and a video file depicting the sexual activity was found on his cell phone."

Authorities learned about the alleged relationship from an unnamed male acquaintance of the girl, John D. Pirics, task force officer with Homeland Security Investigations, said in a federal probable cause affidavit filed in the case.

In a June 29 meeting at Carmel Police headquarters, the male acquaintance told Pirics he logged in to the 17-year-old girl's Instagram account. She had previously given him the account information, according to the probable cause affidavit.

When he was logged in, the friend saw messages between the girl and Goelz that seemed to indicate they were involved in a physical relationship. The friend confronted the girl, who admitted that she had kissed Goelz and he had fondled her breasts, according to the probable cause affidavit.

The friend took screen shots of messages and provided them to authorities. In several messages, Goelz told the girl he loved her, according to the probable cause affidavit.

On June 30, Goelz picked up the girl and took her to an unnamed hotel in Anderson where they allegedly engaged in sexual activity, which included the girl engaging in oral intercourse with him, according to the probable cause statement. Goelz allegedly filmed this act with his cellphone, and it was still in his phone when authorities arrested him.

When she was interviewed at a child advocacy center, according to the probable cause statement, the girl admitted she'd had sex with Goelz multiple times since February. She also said she believed Goelz had filmed her in Anderson.

The case was investigated by the U.S. Immigration and Customs Enforcement, Homeland Security and the Hamilton County Metro Child Exploitation Task Force.

According to Assistant U.S. Attorney MaryAnn T. Mindrum, who is prosecuting the case, Goelz could face a minimum of 15 years in prison if convicted.

Ex-Georgia Principal Accused Of Sexual Assault In 3 Counties

By Raisa Habersham

[Atlanta Journal-Constitution](#), July 6, 2018

A former Georgia school administrator accused of sexually abusing students was arrested Friday on multiple charges in three counties, the GBI said.

Ryan Rickard, who was an assistant principal at Morgan County High School until his resignation earlier this year, was charged with multiple counts of sexual assault by persons with supervisory or disciplinary authority, sexual battery and one count of rape, GBI spokeswoman Nelly Miles said.

Authorities believe he abused three students between the ages of 14 and 16 while he was a teacher and that there may be other victims. The GBI said the alleged sexual assaults occurred between 2011 and 2017.

"The charges were taken in three separate counties to include Walton, Oconee and Morgan," Miles said.

Rickard, 32, of Bishop, was previously under federal investigation for attempting to access child

pornography online, according to the GBI. The Department of Homeland Security requested assistance from the GBI's Child Exploitation and Computer Crimes Unit because the investigation had elements of federal and state crimes.

Rickard was immediately placed on administrative leave during the federal investigation, Morgan County School System Superintendent James Woodard said in a lengthy statement to the Morgan County Citizen. Woodard said authorities inspected Rickard's government-issued electronics and determined he did not use them to access child pornography. Rickard did not return to the school afterward and instead resigned, Woodard said.

"During the months leading up to the arrest, Morgan County High School Administration cooperated fully with law enforcement officials from the Georgia Bureau of Investigation and Department of Homeland Security," Woodard said in the statement. "... We take the safety of our students seriously and took immediate action once contacted by law enforcement. We will continue to work with law enforcement to determine the extent of the behaviors that led to his arrest and will act in accordance with the information in the best interest of our students and their families."

Rickard was booked into the Oconee County jail.

Before Morgan County High School, Rickard was a teacher at North Oconee High School in Watkinsville, a teacher and athletic director at Memorial Middle School in Conyers and a student teacher at Burke County High School.

"Child sexual abuse inflicts lifelong mental and physical scars on its victims and the added abuse of power in this case makes the crime even more egregious," Nick Annan, Special Agent in Charge of Homeland Security Investigations Atlanta, said in a statement.

According to Rickard's LinkedIn page, he began working as a licensed Realtor with Keller Williams in January. A woman who answered the phone Friday at Keller Williams' Watkinsville office said Rickard was still employed there.

Cobb Parents Had \$400K Of Heroin In Home With 2-year-old Girl

By Ben Brasch

[Atlanta Journal-Constitution](#), July 6, 2018

Two parents were arrested after police raided an Austell home and allegedly found eight kilograms of heroin within reach of their 2-year-old daughter.

Juan DeJesus, 32, and Reyna Romero, 28, remained in Cobb County jail Friday a week after the raid, jail records showed.

The 17½ pounds of heroin has a street value of \$400,000, according to a Cobb sheriff's office news release. The pair face charges of trafficking heroin and reckless conduct.

Authorities from the Cobb sheriff's office SWAT team and the Department of Homeland Security searched the Veterans Memorial Highway home on June 29, according to the news release.

The heroin was found on the floor of a spare bedroom where the door was open, according to a warrant, and could have been easily accessed by the toddler.

Investigators said the girl is with the Department of Family and Children Services.

DeJesus and Romero are being held without bond, jail records show.

South Texas Lawyer, Activist Accused Of Smuggling Immigrants

[Associated Press](#), July 7, 2018

SAN ANTONIO (AP) — A lawyer and activist is charged with human smuggling after being accused of picking up two immigrants in the U.S. illegally on the side of a South Texas road.

The San Antonio Express-News reports that Armando Treviño was arrested Monday.

A federal complaint alleges that an off-duty Border Patrol agent on U.S. Highway 83 Monday afternoon spotted two people get into a maroon SUV. Agents pulled the SUV over and discovered the two people were from Honduras and had entered the U.S. without legal permission.

The complaint says the immigrants told agents that smugglers had abandoned them after crossing the Rio Grande, and that they had been trying to catch a ride.

Treviño was released after his arrest. His lawyer did not immediately respond to an email message Saturday.

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Lawyer And Chicano Activist Charged In San Antonio With Transporting Immigrants

By Guillermo Contreras

[San Antonio Express-News](#), July 6, 2018

A Laredo lawyer who was part of student protests that helped launch the Chicano rights movement in

Texas will be in court next week in San Antonio, accused of transporting undocumented immigrants.

Armando Treviño, 71, was arrested Monday, accused of picking up a pair of Honduran immigrants who were abandoned by their smuggling guide along U.S. 83 southwest of Cotulla, according to federal court documents.

Neither Treviño, who was released on unsecured bond following the arrest, nor his lawyer could be reached for comment Friday. Treviño will be back in court Thursday for a hearing to determine whether Border Patrol had probable cause to arrest him.

Treviño was part of the 1960s movement in Crystal City that led to student walkouts in protest of discrimination against Mexican Americans, who were subjected to treatment such as being forced to sit at the back of the classroom, barred from speaking Spanish and from eating Mexican food in the cafeteria. He was also a Chicano political activist at Texas A&M-Kingsville, then known as Texas A&I.

He was interviewed for the Civil Rights History in Black and Brown Oral Project, a historical collection by students and faculty at Texas Christian University, the University of North Texas and other collaborators. The project's interviews are posted on the Internet.

"He was always an activist," said 1960s and 1970s Chicano leader José Angel Gutiérrez, a co-founder of La Raza Unida political party who also grew up in Crystal City. "He was one of the first group of students who were going to walk out in the spring of 1969 before graduation. We counseled them not to do it because they would be flunked and nothing would be done to (teachers or administrators). They listened, but his younger brother was part of the group that did walk out in the fall."

Gutiérrez and Israel Reyna, a lawyer with Texas Rio Grande Legal Aid who attended the university in Kingsville with Treviño, said it seemed unlikely for a lawyer like Treviño to be involved in smuggling immigrants for money.

"It doesn't sound like something a lawyer would do because they know the law and they know the risks, but you never know," said Gutiérrez, who is now an attorney in Dallas.

Reyna said he believes Treviño may have acted emotionally, giving a ride to a pair of down-trodden immigrants, then got caught by "Super Big Brother," what he calls the Trump administration's anti-immigrant and deportation movement.

"It's a humanitarian instinct," Reyna said. "Many of us don't even think about it. We see somebody in need, you reach out."

A criminal complaint affidavit filed against Treviño said an off-duty Border Patrol agent, traveling north on

U.S. 83 about 4:30 p.m. Monday, reported seeing two men he believed to be undocumented immigrants get into a maroon Toyota sport utility vehicle beside the road.

Border Patrol agents from the Cotulla station traveling west on FM 133, which connects U.S. 83 to Interstate 35, pulled over a vehicle matching the description heading east with three occupants. After learning the two passengers were from Honduras, and that the driver, Treviño, was a U.S. citizen, they arrested all three.

Treviño asked that his lawyer be present before he was questioned, the affidavit said. The immigrants said they had each paid smugglers \$2,500 to be taken to San Antonio but their guide abandoned them after crossing the Rio Grande and walking for a day through the South Texas brush. The pair tried to catch a ride and the driver of the Toyota SUV made a U-turn to pick them up, the affidavit states. Treviño said he couldn't take them to San Antonio, but would give them a ride as far north as possible, one Honduran told agents.

Treviño is scheduled for a probable cause hearing on July 12 before U.S. Magistrate Judge Henry Bemporad. If convicted, Treviño faces up to five years in prison and a \$250,000 fine.

Treviño has a disciplinary history as a lawyer, receiving several public reprimands and suspensions between 1997 and 2015, according to the State Bar of Texas. The discipline resulted from allegations he didn't appear in court on behalf of clients, didn't keep clients apprised of their cases and failed to pay bar dues, among other complaints.

Law Enforcement Seize Close To \$10,000 In Game Room Raid

[KFDM-TV Beaumont \(TX\)](#), July 6, 2018

BEAUMONT —

Officers assigned to the Beaumont Special Services Division and Special Assignments Unit, with the assistance of a Homeland Security Investigator, Fire Marshall's and Code Enforcement Officers, executed a search warrant at 3430 Concord, Moon Game Room.

Upon entry it was discovered that the employees were using a magnetic lock to keep people from freely coming in and out of the game room.

A uniformed, unlicensed security guard with an air soft gun was found inside. Approximately 30 people were identified inside the game room.

Two arrests were made for outstanding warrants. The person operating the game room was identified as Hoang Cong Nguyen.

Approximately \$9,400.00 in cash was seized from the business along with electronics from approximately 40 gaming machines.

Beaumont Police Investigators, Fire Marshall's, and Code Enforcement Officers filed numerous violations and notices on the game room. Additional charges are pending.

If you have information about Illegal Gambling or any other crimes in Southeast Texas, contact Southeast Texas Crime Stoppers at 409-833-TIPS, or download the P3 TIPS app and submit your tip with your cell phone.

All tips are anonymous and you could be eligible

SECRET SERVICE

2 Injured As Wrong-way Driver Eludes Secret Service

[Associated Press](#), July 8, 2018

ARLINGTON, Va. (AP) — Two people have been injured and a third is at large after a police chase initiated when a Secret Service officer saw a driver going the wrong way in downtown Washington.

News outlets report the chase ended in a head-on collision in suburban Virginia on Interstate 66.

The Secret Service said one of its officers spotted a car traveling the wrong way on I St. NW in Washington about 4:30 a.m. Sunday. The officer tried to stop the car, but it drove off and crossed into Arlington, Virginia, traveling the wrong way on I-66.

The wrong-way driver struck another car and fled on foot. A passenger in his car and the driver of the other vehicle were taken to the hospital with non-life threatening injuries.

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Secret Service Investigating Crash On Interstate Near DC

By Max Greenwood

[The Hill](#), July 8, 2018

Two people were injured after a driver fled from a U.S. Secret Service officer before eventually crashing into an oncoming car in Northern Virginia, the agency said Sunday.

The pursuit began when a Secret Service Officer sought to pull over a vehicle driving the wrong way on I Street NW in Washington, the agency said, according to a statement posted on Twitter by an NBC Washington reporter.

Update! Secret Service says one of their vehicles followed a vehicle that eventually crashed.

@nbcwashington pic.twitter.com/AkN7BjL4CX— Adam Tuss (@AdamTuss) July 8, 2018

Instead of stopping, however, the driver reportedly exited onto Interstate 66 traveling westbound in the eastbound lane, according to the statement. The driver then collided with another vehicle traveling eastbound, before fleeing the scene on foot.

Law enforcement has not apprehended the driver.

A passenger in the suspect vehicle sustained non-life threatening injuries and was taken into custody and transported to a hospital. The driver of the impacted vehicle also sustained non-life threatening injuries and was taken to a hospital, the statement reads.

Neither of the injured individuals have been identified.

Arlington County Police are the lead investigators on the case and are being assisted by the Secret Service.

The chase and subsequent crash closed down traffic lanes on Interstate 66 at Lee Highway near Rosslyn, Virginia, early Sunday morning. Lanes reopened at around 7 a.m., according to NBC Washington.

Secret Service Investigating Wrong-way Crash On I-66 In Northern Virginia

By Amy B Wang

[Washington Post](#), July 8, 2018

The U.S. Secret Service is assisting in the investigation of a head-on car collision early Sunday morning on Interstate 66 in Northern Virginia, the agency confirmed.

The crash, which occurred just before 5 a.m., forced the closure of an eastbound portion of the highway in Arlington for about an hour, police said. It also sparked a manhunt after one of the drivers fled the scene on foot, the agency said in a statement.

As of 9 a.m., that driver remains at large, despite a search effort that included a helicopter, authorities said.

The Secret Service said one of its officers first spotted a car traveling in the wrong direction on I Street NW in Washington at 4:35 a.m. Sunday. The officer then tried to stop the wrong-way driver, but the car continued onto I-66 — traveling westbound in the eastbound lanes, the agency said.

A little later, the car crashed head-on into another vehicle, and the wrong-way driver fled the scene on foot, according to the Secret Service.

A passenger in the car that had been going the wrong way was taken into custody, then transferred to the hospital with non-life-threatening injuries, authorities said.

"It remains an ongoing investigation whether or not any charges will be sought for the passenger," Arlington County police spokeswoman Kirby Clark said.

The driver of the vehicle that had been going in the right direction also was taken to a hospital with injuries that were not life-threatening.

According to Fox 5 DC News, one of the drivers in the crash was a "White House military pass holder."

A Secret Service spokesman said the agency was simply providing mutual aid to local police agencies. The Arlington County Police Department is leading the investigation.

Images of the crash scene from local reporters showed a dark sedan — badly damaged on its front and right side — straddling the low concrete wall of the highway's median. Nearby was a red sedan stopped across three eastbound lanes on the highway, as well as multiple police officers.

Vehicle In Northern Virginia I-66 Crash Had Fled Secret Service In D.C.; Suspect At Large

By Jay Leblanc

[Washington Times](#), July 8, 2018

One of the vehicles involved in a crash that shut down a section of Interstate 66 in northern Virginia on Sunday morning had fled after a Secret Service officer tried to initiate a traffic stop in Washington, D.C.

The driver of the suspect vehicle fled the scene and remains at large.

"Today at 4:35 am, a Secret Service Uniformed Division Officer observed a vehicle traveling in the wrong direction on I Street NW, Washington, DC," the Secret Service said in a statement tweeted by NBC Washington reporter/anchor Adam Tuss. "The Uniformed Division Officer attempted to initiate a traffic stop of the suspect vehicle; however, the vehicle failed to yield and exited onto I-66 traveling westbound in the eastbound lanes.

"A short time later, the suspect vehicle impacted another vehicle traveling eastbound on I-66. The driver of the suspect vehicle fled on foot and remains at large. A passenger in the suspect vehicle sustained non-life threatening injuries, was taken into custody, and transported to the hospital. The driver of the impacted vehicle sustained non-life threatening injuries and was transported to a local hospital.

"Secret Service personnel supported the Arlington County Police Department and the Virginia State Police with securing the crash scene. I-66 eastbound was closed for a period of time and all road closures have been lifted. This incident resulted in no impact to White House security operations or any Secret Service

protectee. The Arlington County Police Department is the lead investigative agency for this incident and the Secret Service will continue to support the investigation."

Fox 5 had reported that one of the drivers involved in the crash was a White House military pass holder, and that a manhunt was initiated after a person fled the scene.

The crash occurred around 4:50 a.m. at Lee Highway in the eastbound lanes outside the Rosslyn Tunnel in Arlington, NBC Washington reported.

All traffic was diverted off I-66 at exit 73 as authorities worked the scene, but all lanes have since reopened.

White House Fence Jumper Who Wandered Grounds Arrested Again Nearby

By Noah Gray

[CNN](#), July 7, 2018

(CNN)The White House intruder who was arrested last year after wandering the grounds for more than 15 minutes hoping to speak to President Trump was arrested again Friday night, blocks away from the White House.

Police said Jonathan Tran, 28 of Milpitas, California, was arrested on a warrant after violating his probation. The Secret Service and Washington Metropolitan Police picked him up just after 7 p.m. at the Hotel Harrington, about three blocks from the White House.

Tran was sentenced in September 2017 to two years probation and ordered to stay away from the White House after pleading guilty to one misdemeanor count of knowingly entering and remaining on restricted grounds.

It wasn't immediately clear what he did to violate his probation but a law enforcement source said police had a lookout notice for Tran.

According to the most recent arrest report, Tran was found in a room at the Hotel Harrington with two laptops and multiple external hard drives. CNN reached out to the Secret Service to ask whether Tran had plans to enter the White House again and did not immediately hear back.

Tran appeared in DC Superior Court on Saturday and was being held at the DC jail. It was not immediately clear how Tran pleaded for the violation charge or whether he has an attorney.

In March 2017, Tran scaled three fences to gain access to the White House complex. He was on the property for 16 minutes, according to the Secret Service, which launched a major investigation that has resulted in security enhancements and changes.

Islanders Warned About Fake \$100 Bills Being Circulated

By Charles M. Kelly

[Catalina \(CA\) Islander](#), July 6, 2018

You may want to take a closer look at the next \$100 bill you see. For at least the last couple of weeks, counterfeit \$100 bills have been spotted in Avalon.

Tim Foley, manager of the U.S. Bank branch in Avalon, said about two weeks ago, a counterfeit \$100 bill was presented at the bank.

Since then, there have been 11 or 12 occurrences of the fake money. So far, \$100 bills have been the only denomination distributed.

Foley said they were good counterfeits. He said they passed the counterfeit pen test. However, according to Foley, if you look closely enough at the bills, the watermarks won't be right.

After contacting local businesses, Foley reported the problem to the Sheriff's Station and the Catalina Island Chamber of Commerce.

According to the Federal Reserve website, "The best way to determine whether a note is genuine is to rely on the security features, such as the watermark and security thread. Counterfeit detection pens are not always accurate and may give you false results. To learn about these and other security features in genuine Federal Reserve notes, visit the U.S. Currency Education Program website."

The website address is www.uscurrency.gov.

"It is important to know what the security features are in genuine currency, because if you end up with a counterfeit note, you will lose that money. A counterfeit note cannot be exchanged for a genuine one, and it is illegal to knowingly pass counterfeit currency," according to the Federal Reserve.

In a recent Sheriff's Log, Capt. John Hocking, commander of the Avalon Sheriff's Station, warned Islander readers that there had been an increase in the passing of \$100 bills.

Hocking reported that on June 17, Los Angeles Sheriff's Department deputies had responded to a report of someone passing a \$100 and found that the individual in question possessed three fake \$100s. Hocking reported that the case had been turned over to the Secret Service.

According to the Federal agency's own website the Secret Service was created in 1865 to fight counterfeiting. Secret Service duties were later expanded to include protecting "the nation's highest elected leaders, visiting foreign dignitaries, facilities and major events." Originally part of the Treasury

Department, the Secret Service was moved into the Homeland Security Department in 2003.

EMERGENCY RESPONSE

At Least One Dead As Klamathon Fire Tops 9,600 Acres, Remains State Of Emergency

By Kellen Browning And Daniel Hunt

[Sacramento \(CA\) Bee](#), July 6, 2018

The fast-moving Klamathon Fire raging through drought-stricken timber and brush near the California-Oregon border has killed one person and destroyed multiple structures as it burns largely out of control, authorities said Friday.

No other details were released about the death blamed on the fire that threatened 300 homes near Hornbook, an unincorporated town of 250 people about 10 miles south of the Oregon border. It's not clear if the flames, which are 5 percent contained, burned homes or other structures like barns.

Interstate 5, the largest north-south artery on the Pacific coast, was reopened around 7 a.m. Friday.

The 9,600-acre fire ignited Thursday afternoon and moved swiftly through the region that is home to many retirees, said Ray Haupt, chairman of the Siskiyou County Board of Supervisors.

"It moved so fast I'm not sure how much time lagged between the evacuation and when it hit Hornbrook," he told The Associated Press. "It hit there pretty quick. We know we've lost homes and lots of structures, including livestock and horses as well."

The California Department of Fish and Wildlife says the Iron Gate Fish Hatchery along the Klamath River, the Klamathon Road fishing access below the hatchery and the Horseshoe Ranch Wildlife Area have been closed as a precaution.

On Thursday night, Gov. Jerry Brown declared a state of emergency, citing "extreme peril" to people and property.

State resources, including employees, provisions and facilities, will be devoted to battling the fire, according to the governor's announcement. The California Office of Emergency Services will provide assistance to Siskiyou County officials as needed.

The declaration cited the circumstances of the fire – including high heat, wind and lack of humidity – to be "beyond the control of the services, personnel, equipment and facilities of any single local government and require the combined forces of a mutual aid or regions to combat."

Additionally, a Fire Management Assistance Grant from FEMA has been secured to assist in firefighting and

relief efforts, according to a tweet from the California Office of Emergency Services. According to FEMA, the request for a grant is fulfilled when a "threat of major disaster" exists.

An evacuation shelter has been set up at the Jackson Street School in Yreka, Cal Fire said, and a large animal shelter was being set up at the Siskiyou County Fairgrounds. Across the border, Red Cross officials have set up a shelter at Ashland High School.

The Bee's Julia Sclafani and the Associated Press contributed to this report.

Real Estate Agents Seek Flood Insurance Reform

By Troy Brynelson

[Clark County \(WA\) Columbian](#), July 7, 2018

Reforming federal flood insurance policies could help take pressure off of the housing market, local real estate agents say, and calls for change are rising.

Organizations including the Clark County Association of Realtors are rallying to adjust the National Flood Insurance Program because they say its methods are outdated, keeping premiums too high and slowing house sales, among other things.

"It definitely becomes a barrier to closing a deal on time. And sometimes, especially in this day and age, consumers can lose out on interest rates," said Nathan Gorton, government affairs director for Washington Realtors.

Currently, homes with a federally-backed mortgage that are also considered vulnerable to rising waters have to enroll in the program. Homeowners pay premiums based on how prone to flooding their areas may be.

But detractors argue the program is faulty, charging the riskiest homes too little and the safest homes too much. Real estate groups say that if the federal government put private insurers "on equal footing," risk could be distributed more evenly, insurance premiums could drop and ultimately the experience could be much smoother, they said.

David Gasser, president of the Clark County Association of Realtors, said the organization has been calling for change for more than a year.

"This program impacts thousands of homeowners in every corner of the country — including Clark County and our neighboring counties, making it a high priority for the CCAR," he said. "We hope that Congress will pursue a longterm solution that adds stability and dependability to such an important aspect of homeownership for so many people."

There are 1,671 homes in Clark County with flood insurance policies, according to the Federal Emergency

Management Agency, which administers the program. Most policies are in unincorporated Clark County, Woodland and Vancouver.

Calls for changes have gotten louder recently as funding for the program is set to expire July 31.

The U.S. Senate has already packed a six-month extension of the program into its farm bill — an omnibus of agriculture policies and others — but the bill must be reconciled with a similar farm bill from the House.

Industry experts say they do expect to see a re-up in funding for the program, which was first installed in 1968, but they believe the time is coming to make changes.

"I'm always hopeful that Congress will understand that these short-term extensions don't help anybody," Gorton said. "Even with a short-term extension, which are great and we prefer that to no insurance, but even then transactions get caught up and undone. That hurts buyers and it hurts sellers. So we're really hopeful."

We Know Flood Insurance Is Essential. Does Congress?

[New Orleans Times-Picayune](#), July 8, 2018

Louisiana residents whose flood insurance policies expire at the end of July are getting letters from FEMA to remind them of the importance of coverage.

The note is headed: "Your flood insurance policy is about to expire. Renew today."

It goes on with this warning: "Did you know flooding is the most common natural disaster in the United States? It can be caused by powerful storms, broken dams or natural changes in the environment. It's always unpredictable. But if you renew your flood insurance policy, you'll be prepared to recover if flooding hits your area this year."

Yes, Louisianians are aware that flooding is the most common disaster we might face. But thanks for the reminder.

Maybe it would be better to remind Congress, though.

The National Flood Insurance Program (NFIP) is once again about to expire, on July 31 — the same date as for the policyholders getting the letter from FEMA. In March, Congress extended the program for four months. That followed other short-term extensions last year.

This is no way to run such a vital program.

In a press release about the extension in March, FEMA said: "FEMA and Congress have never failed to honor the flood insurance contracts in place with NFIP policyholders. In the unlikely event the NFIP's authorization lapses, FEMA would still have authority to ensure the payment of valid claims with available funds."

But you wouldn't be able to renew a policy or buy a new one. So, anyone in the midst of a home or business purchase or whose policy expires during a lapse in the program would be out of luck. "Nationwide, the National Association of Realtors estimates that a lapse might impact approximately 40,000 home sale closings per month," the FEMA release said.

Unfortunately, some members of Congress don't understand the flood insurance program's value the way policyholders do.

That doesn't include the Louisiana delegation, which has pushed for a long-term extension for the NFIP and for reforms to improve the program's stability but keep it affordable.

Louisiana's Sen. Bill Cassidy and Sen. Kirsten Gillibrand, a New York Democrat, introduced legislation in June 2017 to extend the flood insurance program for 10 years. Their bill maintains grandfathered rates, adds private coverage options, increases funding for flood mitigation and includes high-tech mapping to better assess risk.

Sen. John Kennedy, Louisiana's junior senator, is a cosponsor on a reform bill introduced last year by Sen. Bob Menendez, a New Jersey Democrat. That legislation would reauthorize the flood insurance program for six years. It limits annual rate increases to 10 percent, increases investment in mitigation, includes high-tech mapping, caps compensation for companies that write flood premiums and improves the claims process.

Either bill would be a good option, but they haven't gotten to the floor. "There's just not the sense of urgency that I think my colleagues should have," Sen. Kennedy said in May.

In the House, the problem isn't just a lack of urgency. Some members, like Texas Republican Rep. Jeb Hensarling, basically don't like the flood insurance program.

Majority Whip Steve Scalise of Jefferson has been able to keep the worst provisions out of House flood legislation. But Rep. Hensarling, who heads the committee charged with overseeing flood insurance, is still an obstructionist.

The NFIP does need to be reformed, but some of the opposition's main arguments are just wrong.

"Some inaccurate narratives have taken hold and delayed progress. One of these is that NFIP is widely abused by 'rich people for their beach homes,'" GNO Inc. president and CEO Michael Hecht said in a letter to the editor to NOLA.com | The Times-Picayune last week. "The reality is quite different: 98.5 percent of all NFIP policies are in parishes or counties with a median household income below \$100,000, and 62 percent of all

NFIP policies are in parishes or counties with a median household income below the national average of \$53,889."

Louisiana's coast feeds and fuels the nation. The homeowners and businesses dotting our coastline need flood insurance that is affordable – and dependable.

They shouldn't have to worry every three or four months about whether Congress will keep the program going – especially not during the middle of hurricane season.

Displaced Puerto Ricans Face Uncertainty As FEMA Deadlines Shift

By Kadia Aretha Tubman

[Yahoo! News](#), July 7, 2018

Jenyffer Ortiz, like some of the 1,700 other homeless evacuees who fled Puerto Rico after Hurricane Maria last September, did not wait to be checked out of their temporarily subsidized hotel rooms, as per the deadline last Saturday set by the Federal Emergency Management Agency (FEMA).

She vacated her double room last Friday in New York without knowing where she and her kids were going to sleep next. She had no way of knowing a lawsuit would be filed by families like hers and civil rights groups just before the deadline, keeping evacuees in their hotel rooms for a few more days until a formal hearing could be held Monday.

But Puerto Rican evacuees like her were granted a fifth extension to remain in their FEMA-sponsored motels and hotels until July 23, a federal judge ruled on Tuesday. The extension came after another federal judge issued a temporary restraining order blocking the agency from ending its Transitional Sheltering Assistance (TSA) program on June 30, the program's fourth and seemingly final end date.

Ortiz, 48, spent three nights in a shelter near Times Square with her son and daughter before gathering their belongings in plastic bags and shopping carts. With the help of local relief organizers, they returned to her hotel near Yankee Stadium in the Bronx. She didn't plan on unpacking.

While Tuesday's extension offered displaced Puerto Ricans some relief, the respite from instability is only temporary. Housing assistance will continue for two weeks until a final order is issued on whether or not TSA will be further extended. Meanwhile, displaced families face the challenge of navigating ill-suited shelter systems or finding permanent housing.

"The biggest challenge facing the evacuee population in this city is they can't get housing without a job, and you can't get a job without secure housing," said

Peter Gudaitis, executive director of New York Disaster Interfaith Services (NYDIS), an organization that's been providing resources, case management and advocacy for evacuees since they began to arrive last fall.

"So there are a lot of them in this sort of Catch-22," he continued. "Plus, any family that has kids in school wants a job and housing near where their kids are enrolled. So getting a job is not their only need."

According to NYDIS, more than 100 Puerto Rican families live in FEMA hotels in New York City, but about 900 displaced families are staying with relatives and more than 200 are navigating the shelter system, with difficulty.

Those in TSA shelters "are not chronically homeless people that are used to living on public assistance," said Gudaitis. "These [displaced people] were homeowners and renters in Puerto Rico. They're not used to the way the shelter system works for the chronically homeless or the mentally ill."

Ortiz left Puerto Rico in December, three months after Hurricane Maria crashed into the island, directly or indirectly killing hundreds of people and decimating the U.S. territory's power grid. Without electricity, she couldn't refrigerate her insulin to treat her diabetes. "I feared dying," said Ortiz. When she arrived to New York, she went to a shelter because she wasn't aware of the FEMA temporary housing program. Eventually she relocated to a Holiday Inn through TSA, and for six months she grew accustomed to living in the hotel, switching rooms every 30 days according to hotel cleaning policy.

While deadlines for leaving the hotel approached and were extended, Ortiz made a home for herself and her children, cooking complete meals from a rice cooker in her bathroom and baking flan in her microwave. Her daughter enrolled in a nearby school and her son searched for work. She found a physician she could reach without traveling too far on her wooden cane. She knew where to do laundry and grocery shopping.

"After Maria," said Ortiz, "You have a new life."

The Ortiz family had been at the hotel for six months when the June 30 deadline came. They left for a shelter in a different part of the city where food cost more and transportation was farther away. The hardest change for Ortiz was the shelter rules, including a curfew and ban on electric appliances like her rice cooker.

She kept in contact with the Holiday Inn manager and asked to return to her room, which he granted. Gudaitis, who has supported displaced families like hers, says he understands why families will immediately take up the chance to stay in a commercial hotel paid for by FEMA. But he recommends against moving back. "It's really like kicking the can down the road for themselves,

and they're restarting their clock," explained Gudaitis. "Leaving the hotel actually delays some of the entitlements you're able to access when you're in the shelter system."

Back in a familiar place, Ortiz admitted that she questions if leaving Puerto Rico was the right decision. Her daughter was bullied in the nearby school and her son doesn't speak English. In the near future, Ortiz said she wants to get a job to give her kids a stable life. "I still feel useful," she said. "Even with my medical condition."

If FEMA stops providing temporary accommodation, evacuees will have two options: stay mainland and figure out housing — including homeless shelters — before July 23, or stay until Aug. 30 and have FEMA pay for a one-way ticket back to Puerto Rico.

Meanwhile, civil rights groups and TSA recipients are taking FEMA to court.

"What we're asking for is what is fair," said Kira Romero-Craft, managing attorney of LatinoJustice PRLDEF, the national civil rights organization that filed the lawsuit against FEMA. "The families that are fighting for [TSA] are families that are fighting for their rights. It's nothing that hasn't already been extended for others who have faced similar instances. What we've seen in the past is that other communities that have been affected by natural disasters — like Hurricane Maria, like Hurricane Katrina, like Hurricane Harvey — is that the rebuilding process is long-term and FEMA assistance has been up to 26 months. What these families are fighting for has been offered in the past to similarly situated American citizens."

Following Saturday and Tuesday's extension news, LatinoJustice set out to inform displaced families that they could remain in their FEMA hotels — if they hadn't already checked out. "We had families who had to leave, who took the return trip to Puerto Rico, or didn't hear over the news and had to make other arrangements," said Romero-Craft. "We're working with the different officials to transition everyone back who desperately needs the assistance to get them in a safe place."

Nearly 300 days after Hurricane Maria, Ortiz has no intention to return to Puerto Rico anytime soon — even if that means facing the possibility of being put into another shelter come July 23. "I need a good shelter," she said. "A shelter where I can cook my food and keep my children safe."

COAST GUARD

'Bale Of Cocaine' Found Floating In The Gulf Near Pensacola: Coast Guard

By Marie Simoneaux

[New Orleans Times-Picayune](#), July 8, 2018

A "bale of cocaine" was found floating in the Gulf of Mexico south of Pensacola on Sunday (July 8), according to the United States Coast Guard.

A good Samaritan reported seeing the drugs in the water around 6 p.m. Saturday, and the Coast Guard, Customs and Border Protection and local agencies searched the area that night. The drugs were recovered Sunday by members of the Coast Guard Sector Mobile Enforcement.

Roughly 35 kilos, or about 77 pounds, of cocaine were found in the package, according to a Coast Guard news release.

The following agencies assisted in the recovery:

Coast Guard Station Pensacola 45-foot Response Boat-Medium boatcrew

Coast Guard Sector Mobile Enforcement Division

Homeland Security Investigations

Customs and Border Protection's Air and Marine Operations

Alabama Law Enforcement Agency Marine Patrol

Orange Beach Police Department

Mobile Border and Enforcement Security Task Force/Homeland Security Investigations/High Intensity Drug Trafficking Area

Regional Coordinating Mechanism

Coast Guard Finds 35 Kilos Of Cocaine In Gulf Near Pensacola

[Pensacola \(FL\) News Journal](#), July 8, 2018

About 35 kilos of cocaine was recovered Sunday in the Gulf of Mexico, just south of Pensacola.

The Coast Guard, Customs and Border Protection and local agencies assisted in the recovery of the drugs after a boater spotted a bale of cocaine floating in the water at about 6 p.m. Saturday and alerted the Coast Guard Sector Mobile watchstanders.

Watchstanders directed the launch of a Coast Guard Station Pensacola 45-foot Response Boat-Medium boatcrew to search for the drugs through the evening. Coast Guard Sector Mobile Enforcement members about U.S. Customs and Border Protection's Air Marine Operations vessels and an Alabama Law Enforcement Agency Marine Patrol vessel continued searching Sunday morning and recovered the cocaine.

Police Detonate Suspicious Package By Coast Guard Building

By Ahmed Elbenni

[Milwaukee Journal Sentinel](#), July 6, 2018

A 33-year-old man has been arrested in connection with a suspicious package found Friday morning outside Milwaukee's Coast Guard building on South Lincoln Memorial Drive, the Police Department said.

About 30 to 40 people were evacuated from the building after a security guard found a black duffel bag near the front door about 7 a.m.

Bomb squad officials detonated the package with a water cannon at 10:15 a.m. No injuries were reported.

CYBER NEWS

Huawei Says Does Not Expect U.S. Sanctions: Press

By Ingrid Melander

[Reuters](#), July 7, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Senate Panel Announces Hearing On Computer Chip Flaws

By Morgan Chalfant

[The Hill](#), July 6, 2018

The Senate Commerce, Science and Transportation Committee has scheduled a hearing later this month to examine two critical vulnerabilities affecting computer processing chips unveiled earlier this year.

The committee announced Friday that it would assess the "lessons learned" from the Spectre and Meltdown chip vulnerabilities next Wednesday.

The chip flaws, which provide an avenue for hackers to steal sensitive data from most modern computing devices, were revealed in January by security researchers who had spent months investigating them. They impact a wide array of modern computer processing chips, including those manufactured by Intel, AMD, Google and Microsoft.

The vulnerabilities were revealed before companies could issue patches for the impacted systems, sending companies scrambling to offer fixes to prevent hackers from leveraging the vulnerabilities in attacks.

Following the revelations, Commerce Committee leaders Sens. John Thune (R-S.D.) and Bill Nelson (D-Fla.) wrote to executives at Amazon, Apple, Intel and other tech companies inquiring about their efforts to patch the vulnerabilities and mitigate the threat.

The hearing next week will examine "cybersecurity issues raised in response to the Spectre and Meltdown vulnerabilities, such as challenges with conducting

complex coordinated vulnerability disclosure and supply chain cybersecurity, and how best to coordinate cybersecurity efforts going forward," the committee said.

Lawmakers have called on an official at the National Institute of Standards and Technology — a nonregulatory laboratory at the Commerce Department — to testify, as well as academic security experts. They will also hear from the chief marketing officer at ARM, a microprocessor supplier.

Top-ranked Australian University Hit By Chinese Hackers: Media

[Reuters](#), July 6, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Chinese Hackers Breach ANU, Putting National Security At Risk

By Nick McKenzie, David Wroe

[Sydney \(AUS\) Morning Herald](#), July 6, 2018

The ANU hosts the National Security College, which trains Australian defence and intelligence officials and often hosts meetings with senior national security officials in a secure room regularly swept for listening devices by ASIO.

A spokeswoman for the university confirmed the breach, saying the university had been "working to contain a threat to IT within the University".

"The university has been working in partnership with Australian Government agencies for several months to minimise the impact of this threat, and we continue to seek and take advice from Australian government agencies," she said.

"Current assessments indicate no staff, student or research information has been taken and counter-measures are being undertaken."

Alex Joske, a China researcher for the Australian Strategic Policy Institute's International Cyber Policy Centre, said the cyber attack was a major wake-up call.

"ANU has involvement in important Australian government projects. This hack might have been aiming to steal information for commercial gain or for strategic or technological gain for the Chinese military," Mr Joske said.

"There has been a lack of caution on the part of Australian universities in their dealings with China. Australian universities need to keep working closely with the Australian government on cyber policy."

The attack raises questions about China's compliance with an agreement Beijing struck with the Turnbull government in April last year. The two countries

promised not to hack one another for the purposes of stealing intellectual property, trade secrets or confidential information.

The accord, which was signed after Prime Minister Malcolm Turnbull raised cybertheft directly with Chinese Premier Li Keqiang, includes a mechanism for raising issues and incidents that could cause problems between the two countries.

The Turnbull government has been considering the role of government agencies such as the Australian Signals Directorate in protecting the nation's critical infrastructure. It is understood to be looking closely at Britain's National Cyber Security Centre, which plays an active role in blocking cyber attacks on organisations outside the British government.

Experts such as Dorothy Denning, a Professor of Defence Analysis at the US Naval Postgraduate School, have claimed that China has used hackers to steal "more secrets from businesses and governments than any other country".

In 2015, it was revealed that hackers directed by a foreign government had infiltrated the Australian Bureau of Meteorology's IT system using malicious software, known as "malware". The intrusion led to the theft of information and potentially compromised the computer systems of other government agencies. Experts also blamed China for this attack.

A statement from the Minister for Law Enforcement and Cyber Security, Angus Taylor, said the Australian Cyber Security Centre had been working with the university for several months "to provide support on this matter".

"The Australian Government condemns any malicious activity that targets Australians and Australian networks.

"We know that nation states and criminal groups actively target research and tertiary institutions to steal the intellectual property of hardworking Australians."

Mr Taylor said "malicious cyber activity against Australia's national interests, whether from criminal syndicates or foreign states, is increasing in frequency, sophistication and severity, and the Australian Government's highest priority is ensuring Australians are safe and our interests are secure."

Chinese hackers have previously been blamed for the Titan Rain cyber attacks in the US which involved the theft of sensitive defence information from private and public agencies. The number of cyber attacks dropped after the US and Chinese governments agreed in 2015 to stop government sponsored cyber hacking of commercial secrets.

President Donald Trump has also accused China of using hackers to steal US intellectual property.

In October, there were calls from Australian cyber-security experts for the Australian government to "name and shame" countries behind state-sponsored hacking after a major breach of a defence subcontractor.

Thirty gigabytes of unclassified but commercially sensitive data were stolen by hackers who accessed the systems of a Department of Defence subcontractor with lacklustre security protocols. The data included information about the \$14 billion Joint Strike Fighter program, Australia's next fleet of spy planes and several of its naval warships.

While the Australian government did not blame any country for the attack, a senior cyber-security official suggested it was carried out by state-sponsored hackers and that a tool popular with Chinese hackers was used to execute the breach.

Nick McKenzie is a leading investigative journalist. He's won Australia's top journalism award, the Walkley, seven times and covers politics, business, foreign affairs and defence, human rights issues, the criminal justice system and social affairs.

David Wroe is the defence and national security correspondent for the Sydney Morning Herald and The Age, based at Parliament House

With Russian Hacking Fresh In Mind, Washington State Beefed Up Elections Cybersecurity

By Joseph O'Sullivan
[Seattle Times](#), July 8, 2018

OLYMPIA — Exercises that simulate a hacking attempt. Assistance from the U.S. Department of Homeland Security, with higher-level security clearances for top state officials. A Washington National Guard contingent ramping up to go on alert.

In years past, you might have mistaken these preparations as defense against a foreign invasion.

But in Washington, in 2018, this is what officials are doing to safeguard the state's elections systems.

Roughly a year after Russia's interference in the 2016 presidential elections, federal officials announced that Russian hackers had targeted the election systems of at least 21 states, including Washington.

In Washington's case, hackers scanned voter-registration systems looking for weak spots. No breach was made.

But now Washington officials face a landscape of threats as they prepare for the Aug. 7 primary and Nov. 6 general election — and what will likely be a divisive 2020 presidential election.

The efforts come as states across the nation work to shore up their voter-registration rolls, vote-tabulation systems and election procedures.

Washington is widely considered to have one of the more secure elections systems, in part because its mail-in balloting means the state has a paper record for almost every vote cast. Those ballots can always be recounted, if any question emerges.

Still, national experts agree Washington has some spots that could be compromised by hackers, such as votes returned by email from members in the military, and a voter-registration system run by the state Department of Licensing that recently ran into trouble.

The Washington Secretary of State's office, which oversees elections, has ramped up its efforts to deal with interference by foreign nations and criminal hackers.

Secretary of State Kim Wyman has teamed up with the U.S. Department of Homeland Security (DHS) and is pushing for more resources for her office and the counties, which administer elections, to beef up their information-technology capabilities and training.

Federal and state officials say hackers aren't targeting Washington at this moment, but that could change as this year's elections approach, as well as the next presidential election.

The threat isn't just about keeping elections secure, Wyman said. It's also about keeping voters' faith in their democracy.

"The frightening thing for me is that there are those that are trying to undermine democracy at its foundation," said Wyman. "That if they can cast doubt on the outcome of an election ... people start to lose confidence in our election system."

Wyman's office is expected to soon sign an agreement to allow Washington Air National Guard cybersecurity experts to help with anti-hacking efforts. The arrangement, the first of its kind in Washington, is expected to be finalized this month.

Col. Gent Welsh, commander of the Washington Air National Guard's 194th Wing, says his people will bring in an added layer of expertise to look at the system before November's general election.

The units involved come from what Welsh described as "probably nation-leading cyber squadrons" that have worked with the U.S. Department of Defense.

The group will consist of about a dozen people, including guard members who in their day jobs work at Microsoft, Amazon or security companies, he said.

"If you've got a military-grade adversary," said Welsh, "it makes sense to bring in military-grade assets." Viruses, email votes

In 2016, the Russian hackers who targeted the 21 states did indeed breach at least one election system, in Illinois.

News reports have suggested a half-dozen additional states — though not Washington — may also have had their systems compromised.

Washington has one big security advantage: Unlike many other states, it never adopted voting systems that depend wholly or predominantly on computer software.

The state's paper mail-in ballots serve as a concrete record for officials to go back and recount.

"In terms of cybersecurity threats, it seems that vote-by-mail states are a lower risk," said Marian Schneider, president of nonprofit Verified Voting Foundation, which advocates for accurate and secure elections.

That doesn't mean Washington is immune to hacking from foreign governments or criminal interests.

Elections-security experts point to potential weak spots, such as ballots that can be returned via email.

Any voter in Washington can download and return a ballot by email, according to Wyman. But in those instances, nonmilitary voters are supposed to send in a paper ballot as a backup.

That might happen, for example, if a voter forgets about the election and can't get their paper ballot in on time, said Wyman. The voter would download and email an electronic ballot from the county elections office or the Secretary of State's website, and then later send in the paper ballot.

But members of the military can return a ballot only by email — which can be considered the official record. Emailed ballots can be manipulated by hackers, or used to insert a virus aimed at the state's elections systems once it is opened, said Susannah Goodman, director of voting integrity for the nonprofit advocacy group Common Cause.

Goodman called those email votes "the lowest-hanging fruit" for potential hackers to target, and said some states limit their use to only members of the military serving in hostile zones.

Wyman said her office is considering ways to limit email-only ballots, perhaps to military members serving overseas.

"We're basically soliciting, 'Please send us an email with an attachment that we could open,'" said Wyman. "And I just think that has some risk to it that probably isn't worth it anymore."

Another potential weak spot arose earlier this year.

In February, state officials announced a software problem in the Washington Department of Licensing

motor-voter system that caused thousands of people to be left off the voter rolls.

The glitch largely involved people who changed names on their driver's licenses and received a new driver's license number. Thousands of registrations weren't transmitted to the Secretary of State's voter rolls.

That problem wasn't the result of hacking, but it showed how issues with electronic databases can mess up the elections system.

Wyman's office is now doing daily audits of motor-voter data, as well as more extensive audits before elections, to make sure the voter rolls are accurate, said Lori Augino, director of elections for the Secretary of State's office.

Other challenges remain.

While Washington has postelection audits to make sure votes are tabulated correctly, Goodman said they need to be stronger and currently "would not likely detect serious tampering."

State lawmakers this spring approved a bill, HB 2406, that includes efforts to begin strengthening such audits. Russia not only threat

Last month, about 250 state and county election officials met in Spokane for their annual conference. Augino, federal officials and others helped conduct exercises there designed to simulate hacking attempts.

In one scenario, an elections supervisor picked up in a parking lot a thumb drive labeled election-night results — but the drive contained a virus to attack the elections system.

It gave county officials a chance to ponder how a problem like that might be detected and minimized, Augino said.

The Secretary of State's office has secured about \$8 million in federal grants to safeguard elections and replace old elections infrastructure.

Among other things, that money will go toward staff training and equipment to strengthen cybersecurity monitoring and firewalls for both Wyman's office and county elections offices, she said.

Some of the money also will expand the Secretary of State's IT team, which currently has two people, Wyman said. That will allow the team to help elections officials in Washington's smaller counties.

Even before the 2016 ballots were cast, the Secretary of State's Office began working with DHS and FBI to detect and repel hacking attempts.

Wyman's office began sharing information with the two agencies about possible threats, including the IP addresses, or identifying information, of computers engaged in suspicious activity.

DHS continues to send weekly notices about threats to states, said Matt Masterson, an elections

adviser for the agency. In Washington, DHS also does regular scans of election websites to detect possible weak spots that hackers could exploit, Masterson said.

Meanwhile, Augino is one of about 15 state officials serving on a national coordinating group between state and federal officials. She and Wyman have both received higher security clearances so federal officials can share cybersecurity information.

While officials might be thinking of Russian interference, that nation isn't the only possible perpetrator, said Edgardo Cortés, election security adviser for the Brennan Center for Justice in New York.

"It may be Russia today, but we don't really know what could be coming down the pike," said Cortés. "China's a very sophisticated actor, maybe North Korea."

"But you also have criminal actors out there too," he added.

Meanwhile, Wyman's office plans to roll out a new statewide voting-software system next spring, with hopefully enough time to work out the bugs during the 2019 primary and general elections.

"And then that way we can get two elections under our belt before we go into the presidentials," she said.

Putin Urges Closer International Cybersecurity Cooperation

[Associated Press](#), July 6, 2018

MOSCOW (AP) — President Vladimir Putin on Friday called for closer international cooperation in fending off cyberattacks.

Addressing a cybersecurity conference in Moscow, Putin said it's important to develop common cybersecurity standards that take into account interests of all nations. He noted that cyberthreats have mounted around the world.

"Cyberthreats have reached such a scale that they could only be neutralized by combined efforts of the entire international community," Putin said.

"We have repeatedly seen that some nations' egoism, their attempts to act squarely to their own advantages, hurt the global information stability," he added without specifying.

Putin pointed at Russia pooling efforts with European nations to work out an agreed mechanism of protection of personal data rules, citing it as a positive example of international cooperation.

The Russian leader didn't address allegations that government-sponsored Russian hackers have meddled in the U.S. 2016 presidential elections. Moscow has strongly denied interfering in the vote.

Putin noted that the number of cyberattacks on Russia has increased by one-third in the first quarter of 2018, compared to the same period last year.

He said Russia would work to develop an automated system facilitating information exchange between businesses and law enforcement agencies to help enhance cybersecurity.

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Why You Should Wrap Your Car Fob In Foil

By Phoebe Wall Howard

[Detroit Free Press](#), July 6, 2018

Given that the best way to store your car keys at night is by putting them in a coffee can, what's an ex-FBI agent's advice to protect cars from theft during the day?

Wrap car fobs in aluminum foil.

"Although it's not ideal, it is the most inexpensive way," said Holly Hubert, a cybersecurity expert who retired in 2017 from the FBI in Buffalo, New York. "The cyber threat is so dynamic and ever changing, it's hard for consumers to keep up."

Now, as CEO of GlobalSecurityIQ, she suggests clients go online and spend a few dollars and buy what's called a Faraday bag to shield the fob signal from potential theft. Imagine a traditional sandwich bag made of foil instead of plastic.

Thing is, the car is always waiting for the fob signal. Thieves can buy legitimate devices that amplify the fob signal sitting unprotected in a purse, a pocket, on a counter at home or even just copy the code to access the vehicle.

Copying code from key fobs isn't difficult. And this is something the auto industry and insurance companies are monitoring closely.

The cheap (or homemade) metal protection covers, named for the scientist who figured out how to block an electromagnetic field, can prevent thieves from having access to vehicles with a wireless fob. Currently, thieves can capture fob signals from outside a home, office or hotel room.

"You know it works if you can't unlock a car door when the fob is inside," said Moshe Shlisel, CEO of GuardKnox Cyber Technologies and a veteran of the Israeli Air Force who helped develop cyber protection for fighter jets and missile defense systems.

"The credit card holders don't work because they're essentially a net rather than a wall."

He visited Detroit recently to meet with automakers. He's already working with Daimler on Mercedes-Benz vehicles and the Volkswagen Group on Porsche, Audi and Volkswagen products – to protect

them from hackers. Other clients and potential clients have asked to remain confidential.

Shlisel showed theFree Press a new video of his company's engineers taking control of a semi-truck through the use of a cellphone. Numerous videos have been posted online to illustrate that vulnerability is an industrywide problem.

He held up his fob and said, "This should be something we don't need to wrap with foil. It's 2018. Car companies need to find a way so no one can replicate the messages and the communication between the key and the vehicle."

At home, Shlisel puts his key fob in a can with foil around it to add another layer. In his pocket, he carries the fob for his 2017 Ford F-150 in a little pouch that is made of fabric on the outside and foil inside.

Cybersecurity experts say privately that anyone who knows anything about the ease of auto and personal data hacking practices safe fob storage.

Clifford Neuman, director of the USC Center for Computer Systems Security in Los Angeles, pointed to the millions of consumers who now carry their credit cards in a protective pocket designed to work as a Faraday cage.

"We're talking about electronic burglary tools or car theft tools," he said. "You go up to a house with a car parked in front of it, detect a fob 10 feet away in a bedroom and it allows the car to be unlocked. As these devices become more available, this scenario becomes more and more likely."

Neuman added, "Cars used to be hot-wired. That used to be common, but was an accepted risk. This will become a new technique used by criminals. How much you are concerned, and what you do about it, is a matter of risk management."

People who store their fobs in Faraday cages aren't paranoid, experts say.

Jay Beckerman doesn't want to wrap his key fob in aluminum foil before leaving home, but he says he is learning that maybe it's a good idea.

After the Free Press wrote an article in May about cybersecurity experts not going to bed before stashing their car "keys" in metal coffee cans to prevent theft, the retired journalist from Phoenixville, Pennsylvania, wrote to say, "I can't carry my keys in a metal can during the day. What do I do?"

He went on, "I bought a Samsonite RFID pouch from Staples, put my fob wholly in the pouch, stood about 10 feet from my car, a 2004 Audi A6, and pressed the buttons from the outside. But the lock and unlock buttons worked, lights went on and off. Same with a 2013 A4. Not the desired outcome to foil a miscreant snooper. Though they might fit in a purse, Altoid cans

probably aren't deep enough and wouldn't work in a pants pocket. Band-Aids don't come in small cans anymore."

Shlisel said at the time, "The best thing you can do is keep your key in a small tin can wrapped with aluminum foil. But in a purse or pocket, just aluminum foil will do the job."

Beckerman was one of many readers who called or emailed the Free Press from around the country saying they wanted to learn more.

This is the reality of a wireless, connected world where car doors lock with a click and a chirp, where children in the back seat stream videos and companies can update software technology remotely.

While auto industry engineers know a lot about traditional safety, quality, compliance and reliability challenges, cyber is an "adaptive adversary," said Faye Francy, executive director of the nonprofit Automotive Information Sharing and Analysis Center, which specializes in cybersecurity strategies. "Automakers are starting to implement security features in every stage of design and manufacturing. This includes the key fob."

Macomb County Executive Mark Hackel is still trying to figure out what happened to the 2016 Ford Explorer parked in his driveway at home. Surveillance cameras recorded a thief approaching his vehicle around 4:20 a.m. on the last Saturday in May. It was parked close to the Macomb Township home with exterior lights shining brightly.

Hackel always locks the car door when he comes home. And he remembers doing so this time, too.

"It would look like daylight on my driveway," Hackel said. "And there's a streetlight in front of my house. I play back this video and see a guy creeping up alongside my house. It shocked me because of how well lit it was and the proximity to my house. I couldn't see anything in his hands but he had something that unlocked the car doors. I watched the interior and exterior lights went on and he opened the door."

The thief spent time going through the vehicle and ended up stealing a .40-caliber Glock and gift cards. Hackel's wife's car was entered, too.

At the time, Sgt. Eric Ehrler told the Free Press that three vehicles were broken into in Hackel's driveway near 25 Mile and Romeo Plank, along with a vehicle belonging to a neighbor.

Hackel said that some type of new remote opening device was used to unlock the vehicle.

Macomb County Sheriff Anthony Wickersham said this week the case is still under investigation.

Cybersecurity Upgrades Eyed For 740,000 St. Jude-made Defibrillators

By Joe Carlson

[Minneapolis Star Tribune](#), July 7, 2018

Hundreds of thousands of implantable heart defibrillators made by Minnesota's St. Jude Medical are getting cybersecurity software updates, while older versions of the devices may have their wireless communication systems disabled because they can't accept the update.

A series of 11 recent recall notices said that roughly 740,000 implantable cardioverter defibrillators (ICDs) and cardiac resynchronization therapy defibrillators (CRT-Ds) made by St. Jude Medical are eligible to receive new firmware that provides "an additional layer of protection against unauthorized device access."

Many implanted medical devices, including defibrillators, have wireless communications features that can remotely monitor patient health and device status. Such communication systems could theoretically be hijacked by malicious computer hackers in ways that could harm patient health, though such an attack has never been documented.

The software alerts for the St. Jude devices recommend that patients with eligible defibrillators get the firmware update at their next regularly scheduled doctor visit, or at the time that is most appropriate, depending on patients' and physicians' preferences.

For older models of devices not eligible for the cybersecurity firmware update, the company recommends "a discussion of the risks of cybersecurity vulnerabilities and proven benefits of remote monitoring with patients at their next regularly scheduled visit. RF communication may be permanently disabled in devices not eligible for firmware updates during an in-clinic device interrogation with a programmer that has received the software update."

Abbott Laboratories, which acquired St. Jude Medical last year, sent U.S. hospitals and doctors notices about the St. Jude defibrillator firmware updates in April.

On June 29, the Food and Drug Administration classified those firmware updates as Class 2 recalls, which is the medium-severity category reserved for issues in which adverse health consequences are considered temporary or reversible, or where the probability of serious health consequences is "remote."

"Abbott and the U.S. Food and Drug Administration do not recommend replacement of implanted defibrillator devices as a result of these updates. Your ICD or CRT-D remains fully effective for pacing and defibrillation, as designed," Abbott said in an April 16 statement.

The recall affects: 139,351 Ellipse ICDs; 72,673 Quadra Assura CRT-Ds; 40,738 Unify CRT-Ds; 81,338 Fortify ICDs; 37,485 Promote ICDs; 131,093 Fortify Assura ICDs; 71,651 Current ICDs; 10,425 Promote Quadra ICDs; 22,132 Unify Quadra CRT-Ds; 68,117 Quadra Assura MP CRT-Ds; and 65,048 Unify Assura CRT-Ds.

"Devices that use this type of software may require updates from time to time, as technology and security for connected devices and systems continues to advance," said Kelly Morrison, spokeswoman for Abbott Labs.

The defibrillator updates come less than a year after Abbott issued new software for 465,000 implanted St. Jude Medical pacemakers in the U.S.

How NHS Digital Plans To Continuously Improve Security With IBM

By Tamlin Magee

[ComputerWorld \(UK\)](#), July 5, 2018

NHS Digital's cyber security wing CSOC has announced a partnership with IBM as part of a £30 million deal to bolster threat intelligence, a year after the WannaCry ransomware outbreak hobbled some systems within the NHS.

However, the head of operations for CSOC, Chris Flynn, says that bringing the vendor on board is more about continuously improving the NHS's data security capabilities than directly avoiding that sort of incident again.

The three-year partnership will see IBM bring its technical expertise in to CSOC to improve threat monitoring, detection and response capabilities, as well as providing access to IBM's X-Force threat intelligence unit.

This story behind the partnership is a slightly long one: in 2015 the NHS established CareCert to centrally manage threats and large scale incidents, plus monitoring for NHS Digital. That was created with BT, and when that contract came to an end NHS Digital began procurement activity for what was "essentially a continuation, plus new capability" in December 2017.

According to Flynn, the general standard of the companies pitching for tender was "really, really strong". Despite this strong competition, IBM was "top of the pile" thanks to a combination of technical expertise, quality and long-term value.

Despite the timing, Flynn says that the partnership was not about WannaCry. "We were doing this before WannaCry," he says. "If we weren't doing this before WannaCry then our response would have been very different, because we wouldn't have been so well informed. We were able to monitor network traffic before

WannaCry, and we were able to proactively identify the potential for threats."

It is, instead, a "natural evolution" of the CSOC's capabilities. "We learned a lot in the past 14 months, but we learned a lot in the 15 months before WannaCry. Increasing capability and capacity is something that we need to continue to do on a day to day basis, otherwise we will drop behind the curve."

In addition to boosting technical capabilities, NHS Digital also advocates training for people and processes. As such, the technical side is "just one component" that the organisation does to help protect healthcare, data and services.

"We've delivered over 200 training sessions to healthcare professionals over the past couple of years which are industry-recognised security qualifications," Flynn says. "We've revamped the annual training regime that everyone in healthcare should go through on an annual basis to include more elements of data security.

"We also publish good practice guidance, around things like firewall configuration."

According to Flynn there is also an increasing push for leadership to better understand cybersecurity within the NHS.

"I'm talking about board-level engagement – what we are also doing is board level training that isn't technical training, so it's not about asking a director to be able to identify which certification they should be using, it's about being aware... and hopefully, to ask the right questions. [So] we are trying to make sure the education starts at the top as well."

New Ideas For An Old Institution

By Adam Mazmanian

[Federal Computer Week](#), July 6, 2018

Back in 2012, when Travis Moore was legislative director for California Democrat Rep. Henry Waxman, he was having a tough time trying to understand a cybersecurity bill that was generating grassroots opposition among civil libertarians and privacy activists as well as from many big-name internet companies.

The Cyber Intelligence Sharing and Protection Act was an early version of cyber legislation that offered some liability protections to network operators who shared personally identifiable information with the government as part of the investigative process, with the caveat that information would be anonymized as much as possible.

Moore didn't know anything about PII or data anonymization, and as he went to find answers from fellow staffers, he discovered that no one else on Capitol Hill knew either.

"I made 1,700 vote recommendations for him, and this was by far one of the hardest," Moore said. "I found myself trying to find people in Congress who could explain those concepts and processes to me, and what I found was there weren't people in the building who could do that."

After Waxman retired in 2015, Moore launched TechCongress to try to bring more techies into the building. Moore saw a model for what he wanted in a health policy fellowship program run by the Robert Wood Johnson Foundation. When Moore was tackling a sticky constituent services problem involving a citizen who was falling into gaps in Medicare coverage, there was an expert on hand to help navigate the complexities of the system.

One difference when it comes to tech is that it's not a discrete issue like health care or agriculture.

"You need expertise in house," Moore said. "But there isn't a neat subcommittee jurisdiction that only touches a handful of issues. Tech isn't a slice of the pie – it's baked into the crust."

A big part of the problem is cultural, Moore said. "Lawyers hire other lawyers. Economists hire other economists," he said.

After running on fumes for about 10 months, Moore lined up funding to cover the first two fellows. Now the program has seven fellows, and Moore hopes to grow to 10-14 fellows for 2019. Fellows receive an \$80,000 stipend and some benefits. After an orientation and interview period, fellows are matched with a member or committee office. They are given the opportunity to work for members who share their political outlook and interests. There's no set profile for successful applicants, but most combine formal technology training with an interest in public policy.

Noted privacy expert Christopher Soghoian served as a TechCongress fellow for Sen. Ron Wyden (D-Ore.) before joining the office full time as an in-house technologist. Members of TechCongress' current class can be found working for Sen. Rand Paul (R-Ky.), Sen. Cory Gardner (R-Colo.), Sen. Kristen Gillibrand (D-N.Y.) and Sen. Tom Udall (D-N.M.) among others.

Moore doesn't have plans to try to scale the program to act as a technology advisory service for the legislative branch.

"We don't believe we can solve this problem for Congress," he said. "Congress has to solve the deficit of knowledge about technology itself."

One answer that's been getting some attention lately is reviving the Office of Technology Assessment, an in-house Capitol Hill think tank that was dissolved in the mid-1990s amid concerns about cost and sprawl. A bid to bring back the OTA recently failed in Congress.

"We're not trying to replicate OTA. We serve different needs, but having a support agency is clearly very important as well," he said.

Applications for the next class of fellows are due Sept. 9.

D.C.-area Cybertech Companies Persuade West Coast Investors To Head East

By Aaron Gregg

[Washington Post](#), July 8, 2018

The Washington area is rarely thought of as a hotbed for technology companies. The region's biggest firms have generally gravitated toward the quiet, stable business of government contracting, while start-ups tend to move elsewhere in search of growth capital.

The area's cybersecurity companies, however, are proving to be an exception to the rule.

A handful of recent "exits" — start-up lingo for taking a company public or otherwise cashing out — are beginning to show investors that the area's crowded cybersecurity industry can yield returns.

Tenable Network Security, a Columbia, Md.-based cybersecurity firm that helps large organizations spot network vulnerabilities, recently filed for its initial public offering after raising more than \$300 million from investors. In a separate deal in late February, a company called Phishme was bought by private equity giants BlackRock and Pamplona Capital in a deal that valued it at \$400 million.

All of that activity is persuading some well-known Silicon Valley investors to head east in search of opportunity.

Social SafeGuard, a Charlottesville-based start-up, recently disclosed that it has raised \$11 million in new funding from a pair of West Coast funds. The first, Allegis Cyber, is a Palo Alto, Calif.-based venture fund known for investing in companies that utilize talent and know-how from the region's spy agencies. The other is NightDragon Security, a fund set up by Dave DeWalt, who ran cybersecurity giant FireEye as chief executive for four years.

That investment followed a \$20 million one led by Scale Venture Partners, another Silicon Valley-based fund, in a Herndon-based company called Expel. Expel is headed by Dave Merkel, who was a top executive at AOL before becoming chief technologist at Mandiant, a cybersecurity company that was bought by FireEye for close to \$1 billion.

They are riding a wave that has been building for years. Cybersecurity companies in the District, Maryland and Virginia struck 47 deals with venture investors in 2017 compared with just 15 in 2011, according to an

internal analysis by Paladin Capital, a D.C.-based venture capital firm. There have already been 24 such deals in the first half of 2018, suggesting the trend will continue.

All of that extra capital, combined with new federal cybersecurity spending from defense and intelligence agencies, has spawned hundreds of new companies in the D.C. area. A 2017 survey by Amplifier Ventures and the Kogod School of Business at American University found a whopping 858 D.C.-area companies engaged in cybersecurity work.

Their business is more than just protecting IT networks.

Bethesda-based Quantum Xchange, for example, wants to build futuristic fiber-optic cables between Washington and Boston, using a novel encryption method it says will be able to resist not-yet-developed code-crackers based on the laws of quantum mechanics. The company has raised \$10 million for the effort.

Another is Social SafeGuard, which helps companies including Johnson & Johnson, Sun Life Financial and McAfee track their social media presence, which includes spotting accounts that have been commandeered by hackers. Some companies use its service to find fake social media accounts set up by hackers to spoof their way into corporate networks. Some projects involve tracking down accounts set up to impersonate corporate executives, for example.

In other cases, Social SafeGuard's corporate customers are surveilling their own employees to make sure they don't leak proprietary information or do anything improper online. Executives say the company gathers the data from more than 50 "digital and social channels" including Facebook and Twitter, all of it with employees' consent.

"If you're a CEO of a well-known company, chances are there are hundreds of people spoofing you. In addition to that, you have lots of employees getting in trouble for saying and doing things on social media," said Spencer Tall, managing partner at Allegis Capital.

Social Safeguard "tracks it all," he said. "You can monitor what key employees are doing on an individual basis."

In January, the company partnered with anti-virus giant McAfee to identify what it called a "targeted campaign to spread pro-Pakistan and pro-Turkey propaganda," in which former TV news anchor Greta Van Susteren's account was temporarily taken over and used to send direct messages to President Trump, who follows her on Twitter.

Social SafeGuard is still small, but the performance of other D.C.-area cyberfirms sets a high

bar. Events of the 2016 U.S. presidential election may have added fuel to the fire, too.

"With the election in 2016, everyone became aware of the inherent risks of digital channels," said Otavio Freire, the chief technology officer at Social SafeGuard.

Running App Exposes MI6 And GCHQ Workers' Whereabouts

By Margi Murphy
[Telegraph \(UK\)](#), July 8, 2018

A digital map has been broadcasting the whereabouts of Britain's secret service agents including MI6, MI5 and GCHQ workers', the second incident of this kind to spark security concerns.

Polar – a Finnish fitness tracker company with offices in the UK and America – said it is "tweaking" its fitness tracking app, after researchers warned that it was possible to identify personnel at sensitive government locations and facilities, dating as far back as 2014.

An investigation by Dutch news site De Correspondent and Bellingcat gathered names of agents at GCHQ in Cheltenham along with foreign equivalents including Russia's Main Intelligence Directorate and France's Directorate-General for External Security,....

Fitness App Polar Exposed Locations Of Spies And Military Personnel

[ZDNet](#), July 8, 2018

A popular fitness app that tracks the activity data on millions of users has inadvertently revealed the locations of personnel working at military bases and intelligence services.

The app, Polar Flow, built by its eponymous company Polar, a Finnish-based fitness tracking giant with offices in New York, allowed anyone to access a user's fitness activities over several years – simply by modifying the browser's web address.

For most users who set their activity tracking records to public, posting their workouts on Polar's so-called Explore map is a feature and not a privacy issue. But even with profiles set to private, a user's fitness activity can reveal where a person lives.

An exposed location of anyone working at a government or military installation can quickly become a national security risk.

It's the second time this year a fitness app has sparked controversy by revealing the locations of personnel at sensitive installations. Strava changed its privacy settings after word quickly spread that the fitness trackers used by military personnel were exposing the classified routes between bases on the battlefield,

making it easy to launch attacks. Much of the controversy was because the companies put the onus of privacy on the user, but many are not aware their information is searchable, let alone accessible by anybody.

Although the existence of many government installations are widely known, the identities of their employees were not.

But now, an investigation by Dutch news site De Correspondent and Bellingcat found that Polar Flow exposed their fitness tracking data. The company's developer API could be improperly queried to retrieve fitness activities, like each running and cycling session, on any user.

More from De Correspondent: This fitness app lets anyone find names and addresses for thousands of soldiers and secret agents | How we found the names and addresses of soldiers and secret agents | Why we decided to publish our findings | Check your apps

With two pairs of coordinates dropped over any sensitive government location or facility, it was possible to find the names of personnel who track their fitness activities dating as far back as 2014.

The reporters identified more than 6,400 users believed to be exercising at sensitive locations, including the NSA, the White House, MI6 in London, and the Guantanamo Bay detention center in Cuba, as well as personnel working on foreign military bases.

Names of officers and agents at foreign intelligence services, like GCHQ in Cheltenham, the French DGSE in Paris, and the Russian GRU in Moscow, were also found.

Staff at nuclear storage facilities, missile silos, and prisons were also spotted.

De Correspondent shared some of the data with ZDNet to examine.

Not only was it possible to see exactly where a user had exercised, it was easy to pinpoint exactly where a user lived, if they started or stopped their fitness tracking as soon as they left their house.

Because there were no limits on how many requests the reporters could make, coupled with easily enumerable user ID numbers, it was possible for anyone – including malicious actors or foreign intelligence services – to scrape the fitness activity data on millions of users.

But they also found they could trick the API into retrieving fitness tracking data on private profiles.

In densely populated areas such as the White House, the number of ordinary people tracking their fitness nearby is higher, adding to a lot of unwanted noise in the data, but isolated military camps and government bases produced better results..

De Correspondent explained in an additional report how easy it was to follow around one Polar user, believed to be an officer at the Dutch state intelligence service, across the world, and even locate his home address. Yet, in some countries, like the Netherlands, revealing an intelligence officer's identity is illegal, the reporters pointed out.

ZDNet was able to trace one person who exercised nearby to NSA headquarters in Ft. Meade. The user later started his exercise tracking as he left his house in nearby Virginia. Through public records, we confirmed his name, and his role as a senior military official.

Read more: How Strava's "anonymized" fitness tracking data spilled government secrets | Researchers found a way to unmask Strava users' hidden locations | Strava lesson: Share fitness data online? Check these privacy settings now | Fit by Data: Where data and fitness overlap

Another person, also believed to be an NSA staffer based at Ft. Meade, was found exercising close to the Guantanamo Bay detention facility.

The Dutch reporters also found the fitness tracking data of several foreign military and intelligence officers near sensitive installations in the US.

The data can build up an unsettling picture of a person's life, where they live, where they go, and open up avenues to find out more about who they are and who they know.

But while some would call it creepy and unnerving, others would call it espionage.

Joseph Lorenzo Hall, chief technologist at the Center for Democracy & Technology, commented on the exposure.

"There's probably a point in our recent history or future past which you can't be a spy anymore," he said.

After a private disclosure, Polar took its map offline shortly before publication.

In a statement sent by Polar chief strategy officer Marco Suvilaakso, the company said it "recently learned that public location data shared by customers via the Explore feature in Flow could provide insight into potentially sensitive locations."

The company denied a leak or a breach of its systems.

"Currently the vast majority of Polar customers maintain the default private profiles and private sessions data settings, and are not affected in any way by this case," said the statement. "While the decision to opt-in and share training sessions and GPS location data is the choice and responsibility of the customer, we are aware that potentially sensitive locations are appearing in public

data, and have made the decision to temporarily suspend the Explore API."

We asked Polar if this data exposure, specifically the revealing of some home addresses on private profiles, constituted a breach of Europe's new data protection law – known as GDPR.

"Yes, we are GDPR compliant," said Suvilaakso.

Polar does not reveal its user figures, but De Correspondent found more than 30 million users IDs.

De Correspondent contacted Dutch and Finnish authorities to secure Polar's platform, while ZDNet contacted several US authorities about the data exposure.

We contacted several government departments, including the Office of the Director of National Intelligence, which oversees the intelligence community and its agencies. Spokesperson Charles Carithers said Thursday the ODNI was "aware of the potential impacts" of devices that collect and report personal and locational data.

"The use of personal fitness and similar devices by individuals engaged in US Government support is determined and directed by each agency and department," he said.

NSA spokesperson Brynn Freeland said the agency "has in place and enforces policies regarding the use of wearable fitness devices inside controlled work areas," but did not say what those policies were.

"In addition, we have an ongoing educational campaign for our workforce focusing on the relationship between technology, their privacy, and operational security," he said.

CIA spokesperson Ryan Trapani declined to comment, or provide its guidance on the use of personal fitness devices, and the White House did not comment when reached Thursday. A spokesperson for the National Security Council also did not comment.

The FBI did not return a request for comment. A spokesperson for the Pentagon did not respond to a request for comment either.

In earlier statements, the department that oversees the military said it "takes matters like these very seriously." Previous guidance shows military personnel are not permitted to use fitness trackers that contain Wi-Fi or cellular capabilities, but it permits Bluetooth and GPS-enabled devices that sync data to phones.

Polar isn't the only fitness tracking company inadvertently exposing user data. Other fitness apps had similar issues, though the reporters said the exposures were not to the same extent as Polar.

Polar apologized for the inconvenience caused by suspending the map.

"However our goal is to raise the level of privacy protection and to heighten the awareness of good personal practices when it comes to sharing GPS location data," the company said.

Cybercrime Meets Insider Trading In Sports

By Craig A. Newman
[New York Times](#), July 6, 2018

Sport's best-kept secrets — confidential information about game-day strategies and player performance and critical insights into competitors — are closely guarded for good reason. The information could help teams as well as those betting on the games gain an edge.

The Supreme Court's ruling in *Murphy v. National Collegiate Athletic Association* underscores the value of such information. In a 6-to-3 ruling this spring, the court opened the door to the lucrative business of legalized sports wagering in the United States. The justices struck down a law, the Professional and Amateur Sports Protection Act, that barred states from allowing sports gambling. States can now choose whether to pass laws to legalize gambling, and several states are already taking steps to do so.

Sports teams, leagues and casinos are all looking to cash in on legalized sports betting. Yet the biggest winner might be hackers. And it won't take long for them to seize upon the opportunity.

Hackers follow the money, and there is lots of it at stake. Although precise data on illegal sports betting in the United States is hard to come by, it's estimated to be \$150 billion to \$400 billion yearly. With so much money on the line, everyone will be looking for an edge. Inside information about teams and their players will become more valuable. And that's an opportunity for sophisticated cybercriminals, who will inevitably seek to hack into confidential sports information and use it to their advantage in placing legal sports bets. It is where cybercrime will no doubt meet insider trading in sports.

The competitive value of data analytics gained traction in professional sports in 2002. The Oakland Athletics baseball team didn't have the bankroll of other major league teams, and its general manager, Billy Beane, needed to figure out a way to build a competitive team on a low budget. Mr. Beane turned to statistics to uncover inefficiencies in the way teams valued players.

It worked. The A's made the playoffs the next two years. Since then (and in part due to Michael Lewis's book "Moneyball"), teams across sports have used sophisticated analytics to gain an edge.

For a sophisticated hacker or an organized crime syndicate, this presents limitless criminal opportunities. Hack into nonpublic sports information, gain an edge and place your bet. The motive can be making a profit, laundering money or, even more nefarious, using confidential player information for extortion.

When we think about traditional insider trading — even in our interconnected digital world — we think of rogue stock traders. Today, hackers combine the high-tech sophistication of cybercrime with old-fashioned insider trading. Three years ago, law enforcement authorities indicted stock traders in New York and New Jersey who had been engaged in a multiyear scheme that included hacking into companies like PR Newswire and Business Wire to mine press releases with information about earnings or mergers and trade on the information before it was publicly released. The hackers and traders netted more than \$100 million in illegal profits.

Such hacking to gain an edge has already hit sports. In 2015, the St. Louis Cardinals' scouting director, Chris Correa, hacked into the Houston Astros' database looking for competitive intelligence, including player evaluations. He mined the database for more than two years without detection, using the information to the Cardinals' advantage. Mr. Correa was later sentenced to 46 months in prison for corporate espionage.

Sports teams generate reams of sensitive information relating to players' salaries, contract negotiations, proposed player swaps, and even injury and other health information, all of which can be used to gain an edge in wagering.

And it's not just the teams that generate information that can be exploited by a hacker. Wearable technology, for example, has become standard in both professional and college sports. It tracks everything from player physiology and heart-rate data to sleep patterns. A hacker could easily exploit the fact that a star running back has suffered from a bout of insomnia and may not be at his best for game day.

While stakeholders are scurrying to grab a piece of the gaming pie, they can't afford to lose sight of the cyber risks to the integrity of the games themselves. Even before the court ruling, there were risks, but now those risks are exponentially greater. By putting heightened cybersecurity safeguards into place now to protect confidential sports information, legal wagering doesn't have to unleash hackers.

Craig A. Newman is a partner and chair of the privacy practice at Patterson Belknap Webb & Tyler, a New York law firm.

Metro Cybersecurity Audit Highlights Growing Concerns At Agencies Across The Country

By Martine Powers

[Washington Post](#), July 7, 2018

Metro officials say they plan to focus on improving security throughout the transit system after a classified inspector general's report concluded that the agency remains vulnerable to hacks and attacks that could imperil safety and day-to-day operations.

That audit was presented to Metro's board of directors in a closed meeting late last month, but the report and takeaways are being kept secret because of the risk of tipping off potential criminals to existing weaknesses at the transit agency.

"By its nature, such an audit in the wrong hands could expose vulnerabilities and thereby undermine our shared goal of making [Metro's] IT environment even more secure," Metro Inspector General Geoffrey A. Cherrington said in a statement. "For that reason, we have made an exception to our standard practice of posting audits to our website, and this one will be withheld from release."

The report focused specifically on Metro's "incident response" capabilities, and whether tech experts within the agency have the proper procedures and know-how to quickly detect, fend off and shut down a potential hack. Although Metro has procedures in place in the event of an attack, "the program has opportunities for improvement," the inspector general's report said.

Upcoming audits, however, could reveal more vulnerabilities in the system. According to a schedule presented to the board, Cherrington plans six more security-related audits over the next fiscal year.

Those reviews will examine a range of potential hazards — from a massive data breach of SmarTrip card information to potential attacks that could interfere with critical safety operations such as rail traffic control systems, gas and fire sensors, the power grid, station ventilation, and voice and data communications.

The risk of those kinds of breaches only becomes greater as Metro upgrades to "smart" technology with more digital capabilities — and more vulnerable to remote tampering. For example, Metro's new 7000-series rail cars feature a digital audio communication device, where announcements to passengers do not need to be prerecorded or spoken by the train operator but are transmitted by a computer-generated voice — an opportunity for hackers that did not exist on Metro's older train models with rudimentary speaker systems.

The risks posed by new technology is something that transportation agencies across the country are

concerned about, said Srinivas Subramanian, a state and local security principal at the risk and financial advisory unit of the consulting firm Deloitte.

"As you are embracing new technology and new solutions, there are new risks that are coming with it. It's important to recognize those risks," Subramanian said. "Keeping security at the forefront of your strategy as you explore and adopt those technologies is much more beneficial than doing something after the fact."

Metro is already taking steps to address some of these vulnerabilities, officials said. Last month, the transit agency advertised for a new position: director of security.

Instead of traffic note, motorists get anti-Trump and 'Kill Nazis' messages on hacked sign

Metro's increased emphasis on security reflects increasing awareness at transit agencies across the country that day-to-day operations of their decades-old subway systems could be attractive targets to hackers.

"The biggest challenge is understanding what the vulnerabilities are, so you can start fixing them," said C. Douglass Couto, a security expert who previously worked as chief information officer at the Michigan Department of Transportation, and serves as chairman of the security subcommittee at the Transportation Research Board.

Couto praised Metro for conducting an initial audit. "That should give the public some confidence that at least someone's thinking about this," he said, but it's important that transit administrators allocate the money, time and resources necessary to come up with long-term solutions.

"It's the competition between focusing on daily operations and then doing things that may not have an immediate impact today, but are critical in the long run," Couto said.

Awareness about security risks at transit agencies also has been raised by high-profile incidents in recent years.

On Nov. 25, 2016, the San Francisco Municipal Transportation Agency was hit by a ransomware attack that resulted in the shutdown of the light-rail line's fare system over the busy weekend after Thanksgiving. Hackers demanded \$73,000 to put the system back online, but the transit agency refused to pay, instead allowing customers to ride free until they were able to bypass the hackers days later and fix the problem.

"Awareness has increased because of some of these recent attacks," Subramanian said. "People are seeing these incidents and saying, 'Gee, if it can happen to them, it can happen to me.'"

And smaller bouts of mischief are becoming increasingly routine — people posting profane messages

on highway message boards, or playing pornographic material on train station advertising screens.

But the problem, Subramanian said, is that even seemingly innocuous digital interference on transit can have dire effects. For example, he said, imagine if someone hacked Metro and was able to temporarily shut down all the escalators in a few busy downtown stations during rush hour. Such an incident might seem like a minor nuisance, but the effects could quickly balloon to something more serious: long, slow-moving queues for the stairs that result in station overcrowding, trains that sit on the tracks waiting to unload passengers, holding up trains behind it, and disrupting the flow of travel along an entire rail line, creating a nightmare Metro commute on steroids.

A catastrophic outcome? Probably not, Subramanian said. But enough of a disruption to potentially pique the interest of a digital troublemaker eager to prove their prowess.

And security risks at Metro, and at transit agencies across the country, will only increase as passengers ramp up their expectations for digital amenities — such as in-station WiFi and access to real-time train travel data — and as local officials seek opportunities to create "smart cities," connecting trains and buses with local infrastructure and other transportation networks to ease commutes.

The downside to smart cities, Couto said, is that they open up many more avenues for potentiality breaking into the back end of a transit system.

"The threat surface gets bigger and bigger, and any weakness in all those things that are connected, creates a weakness for everybody in that environment," Couto said.

Employee Allegedly Stole Government Spyware And Hid It Under His Bed

By Lisa Vaas

[Sophos Naked Security Blog](#), July 6, 2018

A former, unnamed programmer for spyware maker NSO Group was indicted last week for allegedly stealing source code, disabling company security so they could load it onto a storage drive, and trying to sell it on the Dark Web for USD \$50m.

Actually, that would have been a bargain: According to a translated version of the indictment (PDF), the powerful spyware's capabilities are estimated to be worth "hundreds of millions of [US] dollars."

The company's products have made headlines on multiple occasions.

NSO Group, an Israeli company, sells off-the-shelf spyware that's been called History's Most Sophisticated Tracker Program.

One of its products, codenamed Pegasus, enables governments to send a personalized text message with an infected link to a blank page. Click on it, whether it be on an iOS or Android phone, and the software gains full control over the targeted device, monitoring all messaging, contacts and calendars, and possibly even turning on microphones and cameras for surveillance purposes.

Pegasus is supposed to be used solely by governments, to enable them to invisibly track criminals and terrorists. But once software blinks into existence, keeping it out of the hands of the wrong people can be very difficult.

One case in point came last year, when Pegasus was reportedly used to target Mexico's "most prominent human rights lawyers, journalists and anti-corruption activists, in spite of an explicit agreement that it be used only to battle terrorists or the drug cartels and criminal groups that have long kidnapped and killed Mexicans," as the New York Times reported.

According to Amnesty International, Pegasus has also been used in the United Arab Emirates, where the government targeted prominent activist and political dissident Ahmed Mansoor. Last month, Mansoor was sentenced to 10 years in jail and a fine of 1,000,000 Emirati Dirham (USD \$272K) on charges including "insulting the UAE and its symbols."

In short, in this epoch of epic law enforcement frustration over the encryption that increasingly bars investigators from cracking suspects' (and surveillance targets') devices, such powerful spyware translates into intellectual property gold.

The indictment of the alleged spyware thief was first picked up by Israeli news outlets. One of them, Globes, compared it to a Hollywood thriller:

Software worth hundreds of millions of dollars is stolen by an employee of a leading cyber security company. All the warning lights turn on during the theft and no one does anything. For about three weeks, the worker keeps the powerful weapons under the mattress in his apartment in Netanya—and no one does anything. During the period, he checks Google (yes, Google) [to find out] how he can sell the secret software, and after the test he offers to sell his weapons to a foreign party on the 'Dark Net'—for \$50 million.

That is, in truth, exactly what the indictment alleges. According to the indictment, the employee—although they're not named in the indictment, the English translation of the document uses male pronouns to refer to the defendant, so we'll follow suit—started working as

a senior programmer in NSO Group's offices in Herzliya in November 2017.

Years earlier, in August 2012, he had allegedly searched the internet for ways to disrupt the company's security software. Later, he allegedly disrupted the security software so that he could transfer data between his workstation and an external drive without authorization. Then, on 29 April 2018, the programmer was summoned to a conversation with his direct manager to chat about the company's dissatisfaction with his performance. His boss invited him to a hearing scheduled for 2 May.

After that, he allegedly made his move: according to the indictment, he copied the spyware, which Globes reports was, specifically, the infamous Pegasus tool. Then, he allegedly took the storage device and stuck it under his mattress. He Googled how to sell the hot commodity, as well as who might be interested, according to the indictment.

Then, he allegedly used the encrypted, anonymous Mail2Tor email service to hide his tracks on the dark net as he listed Pegasus for sale. The programmer allegedly tried to blur the way the tool was obtained by posing as one of a group of hackers that managed to break into NSO's systems.

At one point, he heard from an interested, also unnamed buyer. He was no buyer, though: suspicious of the seller, the "buyer" instead reported it all to NSO.

The programmer then allegedly requested payment be made in the virtual currencies Monero, Verge and Zcash. Three days after the "buyer" requested additional details about the sale being exclusive, Israeli police arrested the programmer, before he had a chance to sell the spyware.

The government is charging the ex-employee with attempting to "maliciously cause damage to property used by armed forces," and of actively trying to harm the security of the country. As well, he's charged with trying to illegally sell the software without a security marketing license and of disrupting NSO's company security operations, as well as theft by an employee.

Regardless of what you think of spyware used to target a) criminals, terrorists, and drug cartels or b) anti-corruption activists or other persecuted groups, this case illustrates (like the CIA's Vault 7 leak and the NSA's hack by the Shadow Brokers before it) just how hard it is to keep vulnerabilities, and the tools that exploit them, under wraps.

Beyond Talking Points, How Will We Act On Critical Infrastructure Risk?

[MeriTalk](#), July 6, 2018

Various arms of the Federal government are grappling with how to best curb critical infrastructure risk despite uncertainty regarding the best path forward and knowledge barriers surrounding the underlying technology.

The Office of the Director of National Intelligence (ODNI) has flagged the issue as one of primary importance, according to Joyce Corell, assistant director for the supply chain directorate at ODNI.

"We're beginning to develop a better understanding of how we provide threat information sharing across critical infrastructure," she said at an Information Security and Privacy Advisory Board meeting on June 22. "About a year ago we established a critical infrastructure task force to be able to engage with critical infrastructure sectors and provide more awareness information."

The threat to the U.S. is great, with foreign actors striking at soft targets – private providers who may not be as diligent about their security as the government itself. Federal entities have been called to action to coordinate efforts.

"We're expanding our footprint, expanding our skills," Corell said. "We've been looking at some of the foundational things: Do agencies have the resources they need? Are there impediments to communicating within an organization?"

Turns out that those impediments do in fact exist. Private sector and government leaders acknowledge a disconnect in communication between the different teams charged with cybersecurity, which makes shoring up defenses for our nation's vital resources an even more arduous task.

"The IT and OT [operational technology] guys come from very different worlds. They didn't get the same training. They don't speak the same language," said Eitan Goldstein, director of industrial cyber and digital security at Siemens, at MeriTalk's Tenable GovEdge 2018 Conference on May 3.

Those language barriers and technical discrepancies play a huge role in why many are still failing to connect the dots about how infrastructure risk ties directly to cybersecurity and IT. Industrial control systems that help power the grid and other pivotal utilities may not be protected with present-day digital technologies, and that aging operational technology creates further security concerns that IT and OT staff must partner to monitor.

Daryl Haegley works in control systems cybersecurity at the Department of Defense (DoD) as a senior program manager assigned to the Office of the Assistant Secretary of Defense for Energy, Installations and Environment. He spoke to Goldstein at GovEdge

about how DoD is fostering that collaboration and recalled recent developments at DoD that speak toward how government priorities need to change.

"The Secretary of Defense ordered that the CIO come up with scorecards that reported quarterly on IT issues," he said. These provided much-needed visibility on risk-prone IT projects and systems, but Haegley said that more than 20 different cards for IT metrics existed before the idea of industrial control system security was addressed.

"There weren't any for control systems for a while until we stood one up. We're going to start populating that in the coming months," he said. "In fact, Congress even asked for it. They put out a specific request saying this needs to have specific visibility."

Elsewhere, the Department of Homeland Security (DHS) and Department of Energy (DoE) have authorities to direct the private sector to adopt better security and are sounding alarm bells. But at this point, the worries have been so persistent and the talking points so uninspiring that Federal discourse is starting to elicit yawns.

But it's not a topic we can afford to sleep on. How do we get beyond the rhetoric? Have we made progress?

On August 2, Haegley will be back to address DoD's progress in getting visibility on control system cybersecurity, as he sits on a special critical infrastructure panel at MeriTalk's 2018 Cybersecurity Brainstorm.

He will be joined by Micah Czigan, the associate deputy CIO for cybersecurity at DoE, Paul Morris, chief information security officer at the Transportation Security Administration, and Brad Nix, senior advisor at DHS' National Cybersecurity and Communications Integration Center.

It's a rare opportunity to hear from top figures at the Federal agencies that lead the nation's drive toward better cyber resiliency, discussing perhaps the most salient issue in cybersecurity today. Complimentary registration for the Cybersecurity Brainstorm is now live. Click here to save your place.

TERRORISM INVESTIGATIONS

Democrat Man Allegedly Threatened To Kill Long Island Trump Supporters

By Katherine Rodriguez
[Breitbart](#), July 7, 2018

Authorities arrested a Long Island, New York, man on Friday for threatening to kill supporters of President

Trump and Rep. Lee Zeldin (R-NY) at the Republican congressman's campaign headquarters, police said.

Police said Martin Astrof, 75, threatened to kill Zeldin's campaign worker and other Trump supporters at Zeldin's Nesconset campaign office in Suffolk County on Friday morning, and almost ran over the worker with his vehicle when he "backed his car up in an aggressive manner," the New York Post reported.

Astrof, who is a registered Democrat according to Suffolk County voter registration records, fled the scene in his vehicle before authorities apprehended him at his home on Friday afternoon.

Zeldin spoke out against the attack Friday night, tweeting that his volunteer should not have been "targeted" for working hard to support a candidate he believes in:

In the US, political scores are settled at the ballot box, not by trying to kill your political opponents. Donato Panico is a great American, supporter of @realDonaldTrump & one of my campaign vols. He shouldn't have been targeted like this today for his passion & involvement. <https://t.co/Rh8Ae6MR4x>

— Lee Zeldin (@leezeldin) July 7, 2018

Zeldin invited the campaign worker, Donato Panico, to attend Trump's State of the Union address in January for his efforts to feed first responders after 9/11.

Authorities charged Astrof with one felony count of making a terroristic threat and one count of second-degree reckless endangerment, police said. Astrof is expected to be arraigned on those charges Saturday.

Man Arrested For Making 'Terroristic Threats' Against Trump Supporters At Rep. Zeldin's HQ

By Amber Athey

[Daily Caller](#), July 6, 2018

A man was arrested in Suffolk County, New York on Friday for making "terroristic threats" against a campaign worker for GOP Rep. Lee Zeldin.

The Suffolk County Police Department tweeted a press release late Friday night detailing the arrest of Martin Astrof, 75.

According to the release, Astrof threatened to kill supporters of Congressman Lee Zeldin and President Donald Trump at Zeldin's campaign headquarters in New York.

"Martin Astrof was arrested after he threatened to kill supporters of Congressman Lee Zeldin and President Donald Trump," Suffolk PD said. "Astrof went to the campaign headquarters of Congressman Zeldin and became irate with a campaign worker at approximately 11:15 a.m. After threatening to kill the campaign worker

and other supporters, Astrof backed his car up in an aggressive manner nearly striking the worker."

Astrof was arrested and charged with Making a Terroristic Threat and Reckless Endangerment 2nd Degree and will be held overnight.

Rep. Zeldin tweeted his own response following the press release as well.

The man's "irate" behavior was just the latest in a long line of attacks against Trump administration officials and his supporters.

Donald Trump Jr. Called To Check On GOP Campaign Volunteer After Reported Threats

By John Bowden

[The Hill](#), July 7, 2018

Donald Trump Jr. contacted a pro-Trump volunteer of Rep. Lee Zeldin's (R-N.Y.) campaign on Saturday after a man allegedly threatened to kill him outside Zeldin's campaign office.

Zeldin tweeted about the incident Saturday morning, thanking President Trump's eldest son for contacting the volunteer who was the victim of the threats. He said that Americans "settle our political scores at the ballot box," not with violence.

"TY @DonaldJTrumpJr for reaching out to make sure Donato was okay re yesterday's incident. We settle our political scores at the ballot box in the USA!" Zeldin wrote.

TY @DonaldJTrumpJr for reaching out to make sure Donato was okay re yesterday's incident. We settle our political scores at the ballot box in the USA! <https://t.co/SZtIS7UqMz>— Lee Zeldin (@leezeldin) July 7, 2018

"Donato Panico is a great American, supporter of @realDonaldTrump & one of my campaign vols. He shouldn't have been targeted like this today for his passion & involvement," he wrote in an earlier tweet.

In the US, political scores are settled at the ballot box, not by trying to kill your political opponents. Donato Panico is a great American, supporter of @realDonaldTrump & one of my campaign vols. He shouldn't have been targeted like this today for his passion & involvement. <https://t.co/Rh8Ae6MR4x>— Lee Zeldin (@leezeldin) July 6, 2018

Trump Jr. has not commented publicly about the incident, but retweeted Zeldin's message of thanks Saturday morning.

A police report Zeldin linked to in his tweet reports that 75-year-old Martin Astrof of Nesconset, N.Y., was arrested and is scheduled to be charged with making a terroristic threat and for reckless endangerment after he

allegedly made threats at campaign workers and drove off in an irate manner, nearly striking a worker with his car on July 6. The police report did not identify the campaign worker who was threatened.

'I Was A Poser,' Says Young Man Caught With Islamic State Propaganda And Child Porn

By Rachel Weiner

[Washington Post](#), July 5, 2018

When the FBI knocked on his front door in December, Sean Duncan says, he ran out the back carrying a thumb drive full of child pornography. He broke it in half and doused it in cleaning solution.

But in a sign of how strange his criminal case has been, prosecutors say he might be lying in an effort to conceal ties to terrorism or information on the death of his son.

U.S. District Judge Leonie M. Brinkema on Friday sentenced Duncan to 20 years in prison and a lifetime of supervision, the maximum allowed under his plea agreement to charges of obstruction of justice and receipt of child pornography.

The FBI was at the 22-year-old's Sterling, Va., home that December day because of his interest in radical Islam and the Islamic State, not child pornography. He also remains under investigation by authorities in Pennsylvania after the death of his infant son in June 2017, according to court papers.

Prosecutors in federal court in Alexandria said that in the months before his arrest, Duncan was simultaneously looking up child pornography and information on terrorism. In one instance, they said, he took a sexually explicit photograph of an infant relative while changing her diaper.

"I don't know which is the more serious of the two," Brinkema said in court Friday — the crimes against children or the interest in terrorism.

"There's a huge gap in all the information," she added, because the contents of the thumb drive were never recovered.

In court papers, prosecutors said Duncan was still probably hiding something.

"The investigators believe that he . . . has withheld important information," assistant U.S. attorneys Colleen Garcia and Gordon Kromberg wrote.

Defense attorneys said Duncan had, on the contrary, been completely forthcoming with law enforcement and has begun confronting untreated mental health problems and trauma.

"Young, lonely and isolated, he was particularly susceptible to . . . the dark underbelly of the Internet," public defender Elizabeth Mullin said in court.

But his interest "never resulted in any concrete plan to fight or commit a terrorist attack," she added, and there is no evidence he shared the pornographic photo he took with anyone.

Duncan was raised in Baltimore, bouncing between what defense attorneys describe as abusive and neglectful homes where he was exposed to lead paint. At 3, they said, he was molested by an older boy. A rare childhood friend died. He spent years looking first at adult and then child pornography online, even though he told a psychologist he felt "repulsed after and while looking at it."

The summer before his senior year, he discovered Islam, and that year, classmates helped him convert.

While the Muslims he met in school and at his local mosque opposed extremism, Duncan found radicals on social media and began talking to them about joining the Islamic State or committing terrorist attacks.

Defense attorneys argued Duncan was just flirting with radical women because he wanted to see them naked.

"I was a poser," Duncan wrote in a letter to the court.

In court Friday, Garcia pointed out that at least one Islamic State recruiter Duncan dealt with was a man, and Duncan repeatedly discussed traveling to Syria.

"It was far more than flirtation and boasting," she said.

Duncan met his actual wife in an Arabic-language class and married her 10 months later, although he was an 18-year-old high school graduate, and she was a doctor 15 years his senior.

His family was disturbed by his conversion and the marriage, and his mother called the FBI to say the couple planned to honeymoon in Turkey.

"Sean was too young to be married and father a child," his sister wrote in a letter to the court. "Sean is still a kid himself."

He and his wife were turned away at the airport in Turkey and returned to the United States, after which Duncan changed his phone number and Facebook account.

The couple moved to Pittsburgh when Duncan's wife got a medical fellowship. At home alone while his wife worked, he immersed himself in extremism and child pornography.

After their 6-month-old son died suddenly, they moved to Northern Virginia. The cause of death was inconclusive, according to the defense, and his wife told

police the boy choked on baby formula. Duncan denies any involvement.

Defense attorneys also say Duncan turned away from extremism on his own, telling an undercover FBI informant in August she "should not go" to Syria.

Prosecutors saw in that same conversation reason to take Duncan seriously as a threat, citing his reference to "referrals" that help people join the Islamic State.

"I'm seeking to change and better myself," Duncan said in court Friday. "I apologize to everybody I've hurt."

He said he understood now "the kids in the pictures are real" and added, "I also renounce ISIS."

Virginia Man Gets 20 Years In Terror Probe

[Associated Press](#), July 6, 2018

ALEXANDRIA, Va. (AP) – A Virginia man investigated by the FBI after his family reported that he had converted to Islam and may have been radicalized has been sentenced to 20 years in prison.

Sean Duncan was sentenced in federal court Friday in Alexandria. Duncan had pleaded guilty in April to obstruction of a terror probe and receipt of child pornography.

Duncan and his wife were denied entry to Turkey in 2016. Court documents say a relative then approached the FBI saying Duncan espoused radical views, including support of beheadings. Agents also found evidence of child pornography. When authorities arrived to search his home in Sterling, Duncan fled barefoot, tossing a bag with a thumb drive broken into pieces.

The 22-year-old later admitted that he had espoused support for the Islamic State group since 2015.

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Man Sentenced For Obstructing Counterterrorism Investigation

[Alexandria \(VA\) News](#), July 7, 2018

A Sterling man was sentenced yesterday to 20 years in prison, followed by a lifetime period of supervised release, for obstructing a counterterrorism investigation and receipt of child pornography.

According to court documents, Sean Andrew Duncan, 22, altered, destroyed, mutilated, concealed, and covered up a thumb drive and memory chip with the intent to impede and obstruct an FBI terrorism investigation. He knowingly and unlawfully received images of minors engaged in sexually explicit conduct, and possessed thousands of such images including images of infants being sexually abused. In the

statement of facts Duncan admitted to his involvement with ISIS and production of child pornography.

Obstruction of Justice

In June 2017, the FBI learned that Duncan had been in contact with an individual who had been detained in a foreign country for actively planning to travel to join ISIS. In or around February 2015, Duncan told the individual that he wanted to make "hijrah" to Syria and that he wanted her to go with him. Later in February 2016, Duncan was denied entry into Turkey and returned to the United States.

Around this same time, the individual told Duncan she was upset at work due to non-Muslim women wearing shorts that exposed their bodies. Duncan replied with a link to a website, and a message saying she could "try this." The link contained pictures and instructions on how to make weapons and bombs. The link was to an article titled, "How to build a bomb in the kitchen of your Mom" from Inspire magazine. In December 2016, Duncan contacted the individual and told her that he had come back from Turkey, where he and his wife were deported back to the United States. Duncan said he thought the FBI was monitoring him.

In or around October 2017, law enforcement authorities of a foreign government arrested one of their citizens (Recruiter 1) for inciting rebellion. Recruiter 1 is an ISIS recruiter who is suspected of drawing foreign fighters from around the world to Recruiter 1's home country using social media. Recruiter 1 kept names and telephone numbers of individuals who had requested to join her social media and/or communication application groups. Recruiter 1's notes included a handwritten name appearing to be "Sean Ibn Gary Duncan," with Duncan's known previous phone number and known previous mobile messaging account.

On or about Oct. 6, 2017, the Allegheny County Police Department provided a copy of Duncan's phone to the FBI. ACPD had obtained this copy during an investigation surrounding the recent death of Duncan's infant child (the cause of death in the autopsy was inconclusive). The FBI's review of Duncan's imaged phone revealed numerous internet searches for ISIS-related material, ISIS attacks, weapons, and body armor.

On Dec. 29, 2017, FBI agents executed a search warrant at Duncan's residence. Upon execution of the warrant, the agents knocked on the door, identified themselves as FBI, and announced that they were there to execute a search warrant. Moments before the FBI agents entered the residence through the front door, Duncan ran out the back door, barefoot, and with something clenched in his fist. FBI agents guarding the back door yelled at Duncan to stop. Before stopping, Duncan threw a plastic baggie in the air and over the

heads of the agents. FBI agents recovered the baggie thrown by Duncan. The baggie was a clear plastic bag, containing a memory chip from a thumb drive that had been snapped into pieces, and placed in a liquid substance that produced frothy white bubbles. Upon searching Duncan, agents recovered a broken casing for a thumb drive from Duncan's pants pocket.

Receipt of Child Pornography

In December 2017, Duncan possessed a smartphone containing images of pre-pubescent minors that appeared to be engaged in sexually explicit conduct with adult males. Other images on the phone were of pre-pubescent minors posed to expose their genitalia in a sexual manner. Several of the images of child pornography were screen shots that Duncan had taken of websites containing child pornography that he had visited. The pre-pubescent minors in the photos were as young as infants, and the total number of images was in the thousands.

One image on his phone consisted of Duncan's hand exposing the genitalia of an infant in a sexual manner. Also found on several of Duncan's phones and electronic devices were thousands of videos and images of children and women that Duncan took in a voyeuristic manner. Several of the videos and images are taken in public venues such as stores, metros, parks, and restaurants.

G. Zachary Terwilliger, U.S. Attorney for the Eastern District of Virginia, John C. Demers, Assistant Attorney General for National Security, and Nancy McNamara, Assistant Director in Charge of the FBI's Washington Field Office, made the announcement after sentencing by U.S. District Judge Leonie M. Brinkema. Assistant U.S. Attorneys Gordon D. Kromberg, Colleen E. Garcia, Jay V. Prabhu, and Trial Attorneys B. Celeste Corlett, Rachel Hertz, and Troy Edwards of the National Security Division's Counterterrorism Section prosecuted the case.

Sterling Man Sentenced To 20 Years For Obstructing Counterterrorism Investigation, Receiving Child Pornography

[Loudoun \(VA\) Times-Mirror](#), July 6, 2018

A Sterling man with ties to ISIS was sentenced today to 20 years in prison, followed by a lifetime of supervised release, for obstructing a counterterrorism investigation and receiving child pornography, according to officials with the U.S. Attorney's Office in the Eastern District of Virginia.

Sean Andrew Duncan, 22, pleaded guilty in April to obstruction of justice and receipt of child pornography.

According to court documents, Duncan altered, destroyed, mutilated, concealed and covered up a thumb drive and memory chip with the intent to impede and obstruct an FBI terrorism investigation. He knowingly and unlawfully received images of minors engaged in sexually explicit conduct, and possessed thousands of such images including images of infants being sexually abused. In the statement of facts, Duncan admitted to his involvement with ISIS and production of child pornography.

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Around this same time, the individual told Duncan she was upset at work due to non-Muslim women wearing shorts that exposed their bodies. Duncan replied with a link to a website, and a message saying she could "try this." The link contained pictures and instructions on how to make weapons and bombs. The link was to an article titled, "How to build a bomb in the kitchen of your mom" from Inspire magazine. In December 2016, Duncan contacted the individual and told her that he had come back from Turkey, where he and his wife were deported back to the United States. Duncan said he thought the FBI was monitoring him.

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Assistant Attorney General for National Security John C. Demers, U.S. Attorney G. Zachary Terwilliger for the Eastern District of Virginia and Assistant Director in Charge Nancy McNamara, of the FBI's Washington Field Office, made the announcement Friday after sentencing by U.S. District Judge Leonie M. Brinkema. Assistant U.S. Attorneys Gordon D. Kromberg, Colleen E. Garcia and Jay V. Prabhu of the Eastern District of Virginia and Trial Attorneys B. Celeste Corlett, Rachel Hertz and Troy Edwards of the National Security Division's Counterterrorism Section prosecuted the case.

Columbus Man Sentenced To 6-plus Years For Attempt To Support Islamic State

By Kevin Stankiewicz

[Columbus \(OH\) Dispatch](#), July 6, 2018

A Columbus man who tried to provide material support to the Islamic State group was sentenced Friday to more than six years in prison.

Aaron Travis Daniels, 21, of the Northeast Side, pleaded guilty last July to charges of attempting to support a foreign terrorist organization. In addition to an 80-month prison sentence, Daniels also will spend the rest of his life under court supervision, according to the U.S. Department of Justice.

Daniels was arrested on Nov. 7, 2016, at John Glenn Columbus International Airport as he tried to travel to Libya to join Islamic State.

Daniels, a 2014 graduate of Early College Academy, had met with an Islamic State recruiter in December 2015 and had sent money to the terrorist group to "show his worth," the Justice Department said.

Daniels, who has been in custody since his arrest, faced up to 20 years in prison.

"One of a terrorist organization's most valuable and dangerous assets is having control over a person willing to support and advance terrorism in the United States," U.S. Attorney Benjamin Glassman said in a news release. "Our office and the agencies in the (Joint Terrorism Task Force) will continue to cooperate as we work to protect our national security."

U.S. District Judge Edmund A. Sargus Jr. accepted the government's recommendation on sentencing and ordered that Daniels, after he is released, receive continued mental-health treatment and be barred from traveling abroad or using alcohol or other drugs. Daniels also cannot use the internet without court permission and is subject to being searched at any time without probable cause.

Daniels' sentencing comes less than a week after the arrest of an Ohio man the FBI said had planned a Fourth of July attack in Cleveland while thinking he was working with the terrorist group al-Qaida.

BPD Commissioner: East Boston Explosion Not Connected To Terrorism

[WBTS-TV Boston](#), July 8, 2018

An explosion at a home in East Boston overnight Sunday that severely injured one resident and yielded the discovery of an assault weapon is not connected to terrorism, Boston Police Commissioner William B. Evans said.

"We don't believe there's any nexus to terrorism at all here," Evans said Sunday evening. "It appears the individual was playing an experiment with powder and chemicals and we believe from that, combustion, it blew up in his face."

The Boston Police Department, along with the Boston Fire Department, responded to a report of an explosion at 88 Webster Street just after 12:30 a.m. Sunday and they noticed upon arrival that the second floor windows had been blown out, Evans said.

Commissioner Evans identified the injured resident as a 28-year-old man but would not give out his identity due to pending charges.

The man was rushed to Mass General Hospital with what appeared to be burns to the lower body. Evans

said he is currently under guard by Boston police at MGH where he is recovering from second degree burns to his arms and legs.

Federal authorities joined the investigation early on and were still sifting through evidence at the scene Sunday evening, but Commissioner Evans said in working with the special agent in charge and his team, "we're very comfortable in saying we don't think there was anything related to terrorism here."

Evans said no assembled bomb was found inside the home, but it is unclear what blew up.

"Obviously strong enough to blow up the windows but we don't believe it was a bomb," Evans said.

Authorities also discovered live ammunition, live weapons and air rifles inside the home. The commissioner said it was not a large number of weapons but that there were a couple, in addition to some broken up weapon parts. Evans said everything will be processed.

Following the explosion, the first and second floors were safely evacuated, and police blocked off several streets. Bomb squad members and FBI agents also responded to the scene overnight.

Witnesses told NBC10 Boston they heard a loud explosion coming from the apartment building on Webster Street.

"There was glass all over the street, and pieces of window," said neighbor Jane Titus. "One gentleman that lives on that floor came out and said 'I'm okay,' but he was all bleeding and he had burns on his lower body and his arms."

Keith Johnson, who lives across the street, said he was the first to call police after the explosion.

"It's very scary, especially when it's literally in front of your house," Johnson told NBC10 Boston.

Neighbors say the man has been living in the apartment for about two years. Two dogs were also reportedly rescued from the home after the incident.

The residents on the two other floors have been displaced, according to officials, and the city's inspectional department will check the integrity of the building.

Commissioner Evans said he doesn't know the extent of the first and third floors but that the second floor won't be opened up any time soon.

He said they are waiting for the inspectional service department to give the OK to start to get some of the neighbors back into their apartments.

"When [the inspectional service department] is ready to open it we will. The neighbors have been good, obviously we're sorry for the inconvenience, but I think they were pretty shaken up last night by the explosion,"

Evans said. "They've been super and they understand we've got a job to do here."

The exact charges that the man will face have not yet been determined. Commissioner Evans said he is probably facing charges of illegal possession of weapons, but that Boston police will sit down with ATF and the FBI to see what exact charges the man will face.

A motive has yet to be determined.

"Trying to determine motive, but based on what we found in there, we don't believe there was any sinister plot or anything else," Evans said. "You know, who knows. We just come off the July 4 where you know where all weekend long we heard these bombs and who knows and maybe he was doing something like that."

There are no other suspects or persons of interest, Evans said.

The investigation is active and ongoing.

FBI, ATF Investigating Explosion At Eastie Home

[Boston Herald](#), July 8, 2018

One man was critically injured in an early morning explosion and fire inside a triple-decker in East Boston, police said.

Police also called the victim "a person of interest" in what is now an ongoing investigation in partnership with the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Boston police spokeswoman Officer Rachel McGuire said the man is hospitalized in critical but stable condition.

The incident occurred at 12:40 a.m. inside the second-floor apartment at 88 Webster St. The explosion blew out at least one window and sent debris raining down on the sidewalk below.

McGuire said investigators conducted a protective sweep of the home and were working to obtain search warrants.

FBI Boston spokeswoman Kristen Setera said the agency responds to explosions "as standard protocol ... to support our local law enforcement partners at the scene."

East Boston Explosion Came After Chemicals, Powders 'blew Up' In Man's Face

By Jerome Campbell
[Boston Globe](#), July 8, 2018

A 28-year-old man suffered second-degree burns to his arms and legs after the powders and chemicals he was apparently experimenting with in his East Boston apartment "blew up in his face," causing an explosion

early Sunday that blew out a second-floor window and forced an evacuation of the triple-decker, officials said.

The man, a second-floor resident whom police have not named, was in critical but stable condition, police spokeswoman Rachel McGuire said in a phone interview Sunday morning.

Police Commissioner William B. Evans arrived at about 2:30 a.m. to 88 Webster St., where more than a dozen police officers were investigating.

Evans told reporters at the scene late Sunday afternoon that "a couple of" weapons — including an assault rifle, live ammunition, and "broken-up weapon parts" — were found in the house.

Officials do not think the incident had anything to do with terrorism, Evans said, adding: "Based on what we found, we don't believe there was a sinister plot."

The man was recovering Sunday at Massachusetts General Hospital, where Boston police officers were guarding him. He is not technically in custody, but will probably be charged once he's feeling better, Evans said.

"We'll have to sit down with ATF and the FBI and figure out what we'll charge him with," Evans said, noting that both agencies helped with the response. The Boston police bomb squad also responded to the explosion.

The man was alone in the second-floor unit, Evans said earlier Sunday, adding that the explosion caused "extensive damage" to the apartment.

The incident unfolded at 12:39 a.m., when firefighters were called to the house for a report of a fire, said Marc Sanders, a spokesman for the Boston Fire Department.

Flames were not visible when crews arrived, but there was evidence of an explosion, Sanders said at the scene.

Police investigators and K9 units arrived shortly after 1 a.m. Residents evacuated from nearby houses said they were awoken by the sound of a large explosion.

They huddled on the sidewalk, watching as police in helmets and K9 units searched the house. They declined to speak to a Globe reporter.

Residents of neighboring buildings were eventually allowed to return, Sanders said in an e-mail Sunday.

But residents of the building where the explosion took place "were not allowed back into building and had to find shelter for the night," Sanders said in the e-mail.

He said the building was being inspected for structural integrity, and he did not know when or if residents would be able to return.

Boston Explosion Blamed On Man Experimenting With Chemicals

[Associated Press](#), July 9, 2018

BOSTON (AP) — Police say a home explosion in Massachusetts that sent one person to the hospital was caused by a man experimenting with chemicals.

Boston Police Commissioner William Evans says the 28-year-old man was tinkering with the chemicals in his East Boston apartment early Sunday when they "blew up in his face."

The explosion blew out windows in the second floor apartment and forced an evacuation of the building.

The man has been hospitalized with second-degree burns. Police say he is in critical, but stable condition.

Evans says several weapons and live ammunition were found in the man's home, but police do not believe the explosion is linked to terrorism.

Evans says the police department is working with the FBI to determine which charges the man will face.

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Fridley Man At Center Of FBI Terror Probe Wages Court Battle For A Gun Permit

By Stephen Montemayor

[Minneapolis Star Tribune](#), July 7, 2018

For at least three years, the FBI has kept tabs on a Fridley man suspected of helping produce ISIS propaganda while longing to join militants abroad.

Agents raided his home last summer. They've scoured nearly two dozen social media accounts he allegedly operated. Now, the 37-year-old father of four is enmeshed in a new court challenge of his own making: He wants to carry a gun, but his county's sheriff won't let him.

The highly unusual case, which has drawn the attention of the U.S. Attorney's Office and FBI, seeks to test the limits of how much discretion officials have in denying permits to carry firearms to residents without criminal convictions.

Court papers paint a picture of a man whose voluminous web entries justified terror attacks and the beheadings of journalists. He allegedly vowed to translate for a pro-ISIS publication and offered to help a New Jersey man travel to Syria. And he aspired to make the same journey himself, according to the FBI, before family obligations apparently got in the way.

Yet after years of FBI suspicion, the man has only a long list of traffic violations to his name. That didn't stop federal authorities from raising red flags when he

applied for a permit to carry a pistol a year ago — just before agents stormed his home.

The Star Tribune is not naming the man, who declined to comment for this article, because he has not been charged with a crime. But in a petition filed this spring in Anoka County District Court, he claimed that Sheriff James Stuart's denial was "discrimination based on his race, national origin and religion." His attorney is meanwhile arguing that suspicion alone should not be enough to curb his client's Second Amendment rights.

"It is not appropriate for the FBI to dictate to sheriffs, state courts or other agencies what rights people should have, regardless of whether there is evidence to charge them with a crime," said Jordan Kushner, the man's attorney.

A different life online

A former social worker at a Minneapolis community health clinic, the Fridley man allegedly lived a starkly different life online.

The FBI and U.S. Attorney's Office declined to comment on his case, but agents have collected records of the man's Twitter and Facebook activity since at least May 2015, according to court papers. The social media platforms regularly suspended his accounts over pro-ISIS and Al-Shabab postings, the FBI said, but he often reemerged with slightly modified versions of his online handle, "Abu Kauthar As-Sumaali."

The Star Tribune has previously reported on two federal search warrants that became unsealed, which included an alleged exchange with an ISIS militant who enlisted As-Sumaali to help translate for a propaganda media wing. A third, newly unsealed warrant from August 2017 disclosed that a 57-year-old New Jersey man told agents that As-Sumaali offered to provide money and airline tickets for a 2015 journey to Syria.

About a month after filing that warrant, agents raided the man's apartment in Fridley. According to his Anoka County challenge, he had applied for his permit to carry a pistol around the same time. Before the raid, the man corresponded with officials from the Anoka County Sheriff's Office over the status of his application and was denied because the office found "a substantial likelihood" that he would pose a danger to himself or the public if allowed to carry a pistol.

The Sheriff's Office explained, after the man appealed, that federal authorities flagged him as "a subject of interest" for possible federal crimes. Kushner, his attorney, is challenging whether the Sheriff's Office provided enough evidence that his client is too dangerous to be allowed to carry a firearm.

Denials for permits to carry are rare in Minnesota. Sheriff's offices refused barely 1 percent of the 58,219 applications received in the state last year — a rate that

has held constant in recent years, according to the state Bureau of Criminal Apprehension (BCA).

Bryan Strawser, executive director of the Minnesota Gun Owners Caucus, said criteria like age and training requirements and certain criminal convictions create hurdles that may stop prevented persons from applying at all. The "danger to self or public" reason given to deny the Fridley man's application is one of few provisions not triggered by a prior court action, allowing sheriffs "a moderate amount of discretion" to deny, Strawser said.

"We certainly want the sheriff to deny if that is indeed a factor," Strawser said.

Stuart said his office was unable to comment on the matter "because of potential pending litigation." Assistant Anoka County Attorney Bryan Lindberg, representing the sheriff in the suit, said he could not provide any information because firearm permit data is private.

'Uncle Sam is everywhere'

In the Anoka County case, federal authorities provided letters raising red flags about possible terrorism support and, in a rare move, an FBI agent testified during a closed court hearing in May. Assistant U.S. Attorney Ann Bildtsen, in a letter to the judge, meanwhile characterized the man's case as a "pending federal criminal investigation."

Prosecutors are sitting on a trove of online correspondence from As-Sumaali that include the alleged offer to help a New Jersey man — who has since cooperated with the FBI — go to Syria. They also document a series of chats with an undercover FBI investigator who posed as a fellow ISIS supporter.

He allegedly told the undercover investigator that he came to the U.S. from Somalia at 18. Though he is a citizen, he told the undercover agent, he was unhappy here and wanted to leave for Syria and Iraq "so bad." But he cautioned against talking too much about foreign travel online because "Uncle Sam is everywhere."

According to court filings, As-Sumaali told the investigator that his wife refused to move with him to Raqqa, Syria — then the capital of the Islamic State of Iraq and Syria's self-proclaimed "caliphate" — because "she loves life too much." When the undercover agent later suggested focusing on family over jihad, an FBI agent wrote, As-Sumaali replied that his religion was more important than his kids. But, in a footnote to the FBI's search warrant affidavit, an agent wrote that As-Sumaali told the undercover agent in March 2016 that he didn't plan to travel at that time, "citing family reasons."

The federal probe has transpired at the same time that ISIS, amid territorial losses overseas, has shifted

toward encouraging supporters to carry out attacks at home.

FBI Director Christopher Wray has said that the bureau is working at least 3,000 active terrorism cases nationwide, and officials say agents now must assess the thinking of those who didn't make it overseas but still may harbor sympathies for terror groups.

"The big fear that many who were stopped from traveling might launch attacks locally hasn't really borne fruit," said Amarnath Amarasingam, a senior research fellow at the Institute for Strategic Dialogue who studies Western foreign fighters. "They tend to be watched very closely and face severe limitations on their activities. Some get bored and move on. For others, attacking home was never the goal."

Apparently unable to leave Minnesota — and his family — behind, the Fridley man will continue his court battle over his denied permit to carry application this month as both sides plan to file briefs over the sufficiency of the sheriff's explanation. Though records of the case have been publicly viewable, a final determination on his permit will likely be private under state law.

Kushner said Minnesota's law allowing sheriffs to deny by citing "a substantial likelihood" of harm is too vague. But for some gun rights proponents, the process has so far allowed sheriffs to exercise judgment while letting citizens appeal with a chance to recoup court costs if they win a reversal.

"I would say this is an example of the system working," Strawser said.

2017: Fridley Man Challenges FBI Search In Terrorism Probe

By Stephen Montemayor

[Minneapolis Star Tribune](#), July 7, 2018

By day, the 36-year-old Twin Cities man worked as a case manager at a community health clinic. Online, the FBI believes, he answered a call last year to work for a pro-ISIS propaganda group.

Probing the man's social media activity, agents found dozens of private messages allegedly exchanged with a suspected ISIS militant. This September, according to new court filings reviewed by the Star Tribune, the FBI stepped up its investigation and raided the man's apartment in Fridley.

But in a recent and unusual twist, his attorney has demanded that the government return a trove of property taken during the raid — including cellphones, computers and an iPad — and asked a judge to order the FBI to disclose the evidence and sources it cited to get a search warrant in the first place. The attorney, Jordan

Kushner of Minneapolis, argues that the search was illegal.

The motion could set up a rare legal challenge to the FBI's series of ongoing terrorism investigations across Minnesota.

Kushner's motion argues that the FBI used the man's "exercise of his constitutionally protected First and Second Amendment" rights, rather than probable cause, to obtain the search warrant. "Further evidence would have been false," Kushner wrote.

Details of the case surfaced in court documents filed by Kushner on Monday — but then quickly sealed by a judge.

They suggest that the case could represent a fresh, and complicated, development in Minnesota's 15-year history of counterterrorism probes.

Anders Folk, a Minneapolis attorney and former federal prosecutor, said the time line of the investigation appears on par with the resource-intensive nature of terrorism cases, but added that allegations of helping with propaganda could represent a new chapter in counterterrorism investigations.

New meaning of 'support'

"That is certainly a different kind of theory of material support than what we've seen charged in Minnesota before, but not outside the types of charges we've seen brought in other jurisdictions in the U.S. and U.K.," Folk said. "The closer cases get to First Amendment protected speech, the more complicated they get — which is as it should be."

Reached by phone, Kushner declined to elaborate on what he referred to as his client's constitutional rights.

By Tuesday of last week, the motion and all other proceedings in the case were sealed. In the motion, Kushner requested that prosecutors be ordered to disclose the FBI's application to search his client's home, other "law enforcement reports and other evidence supporting the warrant."

Kushner is seeking an evidentiary hearing to determine the legality of the search and seizure of property, but it is unclear whether a judge has ruled on the motion or scheduled a hearing on the matter.

The Star Tribune first reported last month that the FBI has been investigating the man since 2016. That's when agents allegedly found private Facebook messages in which he agreed to help with English translation for a "news agency" called Dabiq, a propaganda outlet produced by the Islamic State of Iraq and Syria. The Star Tribune is not naming the man, a Fridley resident and father of four, because he has not been charged with a crime.

According to court documents reviewed by the Star Tribune, the FBI searched a Facebook account and 15

Twitter accounts belonging to the man in August 2016, finding about 48 direct messages between him and an account for "Mu'assad Sharq Afriqiya," who is believed by authorities to be a member of ISIS.

Agents also noted that the man made public Facebook posts last year that included an image of President Barack Obama being beheaded and comments that terror attacks in Paris should "be a lesson" for other countries.

On New Year's Eve 2015, the man allegedly posted an image of ISIS militants with the comment: "People of the Year. Your bravery made all of us proud in 2015." The FBI said he also "repeatedly" posted content published by the media wings of both ISIS and Al-Shabab.

Contact made

According to an FBI agent's search warrant affidavit, Afriqiya messaged the man in January 2016 and expressed joy at meeting ISIS supporters "who are working hard" and are also Somali.

"May Allah guide us to the righteous path," the man replied.

Next, Afriqiya asked about the man's English proficiency and if he followed "Dabiq news agency." The man told Afriqiya he followed the news source "very well."

"Good. So you can help us with the translation."

"Leave everything English to me."

It's unclear whether the man followed through on his offer because, the FBI says, he agreed to open a new account on an "encrypted mobile messaging application."

"We can speak freely there. And it's more secure than Facebook," Afriqiya said.

The Dabiq news agency is considered an "unofficial auxiliary" propaganda account, separate from ISIS' more structured media wing, according to Aaron Zelin, a fellow at the Washington Institute for Near East Policy. He said Dabiq is used by jihadists to push messages out to a broader audience, then amplified by supporters around the world.

"It ... helps further propagate [ISIS'] message and access force multipliers," Zelin said.

'Not contraband'

The target of the FBI's probe worked until March 2017 as a case manager at a Twin Cities community health clinic. Through both his wife and attorney, the man declined to comment for this article.

The FBI and U.S. attorney's office in Minneapolis declined to comment on the investigation, citing Justice Department policy.

In his court filing, Kushner argued that his client "is aggrieved by the continued deprivation of his property."

According to the motion, the government has refused to return property including multiple phones, computers, an iPad, DVDs, CDs, thumb drives, financial records, written records and other items needed "for his personal and business affairs or is otherwise entitled to have and use." The attorney said the FBI has had ample time to photograph or copy any items of interest before returning them.

"The items are not contraband and do not contain evidence of crimes," Kushner wrote.

Charged With Terrorism Lowcountry Man Set To Change Plea

By David Travis Bland

[Columbia \(SC\) State](#), July 6, 2018

A Lowcountry man who authorities say tried to join a Middle Eastern terrorist organization will have a change of plea hearing, multiple news organizations are reporting.

Court documents say Zakaryia Abdin of Ladson is set to appear on Aug. 8 in a federal courtroom in downtown Charleston for the hearing, according to WCBD of Mount Pleasant.

The 19-year-old originally pleaded not guilty to charges of attempting to provide material support to the Islamic State of Iraq and al-Sham, or ISIS.

Abdin allegedly communicated with a person he believed to be a member of ISIS. Abdin said he pledged his loyalty to ISIS in 2014 and needed assistance joining the terrorist group. Then 18 years old, Abdin reportedly spoke about wanting to take action like the 2016 Orlando Pulse Nightclub shooting and "wanted to massacre Americans and fight with ISIS," federal documents say, the Rock Hill Herald reported in January. Abdin reportedly told the ISIS member that he wanted to torture an American and would attack a U.S. site barring his ability to leave the country.

The person Abdin was speaking to online was really an FBI agent. Abdin was arrested by the FBI's Joint Terrorism Task Force at Charleston International Airport before he could board a plane to the Middle East.

Abdin grew up in York. When he was 16, he was arrested and convicted for a crime related to a plan to steal firearms and gun down troops at a military base. A parole board let Abdin out on parole a year into his sentence despite protests from the York Police Department chief. Abdin was supposed to stay in jail until he was 21.

If convicted on the terrorism charge, Abdin could face 20 years in prison and a \$250,000 fine.

FBI Psychiatrist Casts Doubt On Autism Diagnosis Of Teen In Pine View Bomb Case

By Spencer Ricks

[St. George \(UT\) News](#), July 6, 2018

ST. GEORGE — A psychiatrist from Virginia with experience assessing terrorists and a notorious school shooter testified in a hearing Friday for the teen who allegedly brought a bomb to Pine View High School earlier this year. Pine View High School students are evacuated to the football field as police investigate a bomb scare inside the school and swept the parking lot as a precaution, St. George, Utah, March 5, 2018 | File photo by Mori Kessler, St. George News

Gregory Saathoff, chief psychiatric consultant for the FBI's Behavioral Analysis Units and Crisis Negotiation Unit, testified for over four hours at the 5th District Courthouse in St. George for the hearing, which will eventually determine if the teen will be tried as an adult.

Saathoff's experience includes working on the case for the Sandy Hook massacre, where 20 children and six adults were shot dead in a Connecticut elementary school in 2012.

The 16-year-old teen from Hurricane in this case was charged with felonies for attempted murder and possessing a weapon of mass destruction for bringing an explosive in a backpack to Pine View High School on March 5. No one was killed or injured, but the teen demonstrated behavior that is similar to other terrorists or mass shooters, Saathoff said.

Read more: Charges filed in Pine View bomb scare; more possible in relation to ISIS flag incident

Having watched many other interviews between people who commit atrocious crimes like acts of terrorism or mass shootings, Saathoff said the teen's interview in the Pine View case was "quite unremarkable" compared to others. 5th District Juvenile Court Judge Paul E. Dame listens to testimony during a preliminary hearing for a teen accused of attempting to detonate a bomb inside Pine View High School, St. George, Utah, July 6, 2018 | Photo by Ben Pollchik via Utah court pool, St. George News

The tape of the teen in the interrogation room after being arrested at Pine View High School shows him looking around at the ceiling, talking to himself and displaying nervous quirks when investigators were out of the room.

"It was quite typical of someone in that situation," Saathoff testified.

The teen's defense team has used witnesses to argue that bullying and autism may have led to him

bringing the bomb to the school, but Saathoff said autism does not cause people to premeditate attacks like the teen in this case did.

Read more: Defense's witness says autism, bullying played part in bomb scare case

"The behavior that is most often demonstrated by people with autism is more in line with tantrums and reactive types of aggression. That's not what I've seen in (the teen's) case."

Because the teen spent months researching the Islamic State and how to build a bomb, his attempted attack on Pine View High School was premeditated far in advance – something autism does not cause people to do, Saathoff said.

While the teen's parents testified the day before about extensive bullying when the teen attended Hurricane High School, the teen brought the bomb to Pine View High School, where there were no reports of bullying. This proves the teen's act of bringing the bomb to school was not reactive to something happening here, Saathoff said.

Read more: Pine View High School bomb suspect was 'relentlessly' bullied, parents say Deputy Washington County Attorney Angela Adams asks questions during a preliminary hearing for a teen accused of attempting to detonate a bomb inside Pine View High School, St. George, Utah, July 6, 2018 | Photo by Ben Pollchik via Utah court pool, St. George News

The teen's lack of remorse is another indication that autism did not cause him to drop the bomb off at the school. Using an example, Saathoff said a person with autism may step on one's foot and not realize the pain they caused that person, but after that person cries out in pain, the person with autism will quickly feel remorse.

The teen's "prowess in academics," as demonstrated by his 3.89 grade point average in his last full year of school in ninth grade, is also in direct conflict with the defense characterizing the teen as having a challenged intellect, Saathoff said. It also was very sophisticated to be able to live a double life as the teen was planning the attack.

"He said a prayer with his family before going to the school with the extra backpack with the explosive in it. He also called his mom when the school was being evacuated and told her he didn't know why there was an evacuation."

The teen was also only diagnosed with autism after being arrested, which raises some questions about whether or not the diagnosis of autism is sufficient. Defense attorney Stephen Harris listens to testimony during a preliminary hearing for a teen accused of attempting to detonate a bomb inside Pine View High

School, St. George, Utah, July 6, 2018 | Photo by Ben Pollchik via Utah court pool, St. George News

"Although he has been in a number of schools and by all accounts, he has been very attentive, he has caring parents and family, and was doing well academically," Saathoff testified. "No one has raised (autism) as an issue up to this point."

Saathoff said he'd like to see additional testing done to determine whether or not the teen is truly autistic.

After Saathoff completed his testimony, the teen's defense attorneys Matthew and Stephen Harris objected to 5th District Judge Paul E. Dame accepting Saathoff's testimony. They argued that Saathoff's opinion that the teen's diagnosis of autism was inadequate could not be reliable because although Saathoff is an expert on all kinds of psychological disorders including autism, he is not an expert on juvenile autism.

Despite the objection, Dame decided to accept Saathoff's testimony but said he is yet to determine how much weight to give it.

The hearing to determine whether or not the teen will be tried as an adult will resume July 13.

ISIS May Be Waning, But Global Threats Of Terrorism Continue To Spread

By Eric Schmitt

[New York Times](#), July 6, 2018

In Germany and France, the authorities thwarted terrorists' plots to attack with the deadly poison ricin. In eastern Syria, the Islamic State continued its retreat under stepped-up assaults by Kurdish militia and Iraqi pilots. And extremists in Yemen, Somalia and Libya were targeted by American airstrikes.

That spate of action, over the past few weeks alone, illustrates the shifting and enduring threat from Islamic extremism around the world that will last long after the Islamic State, also known as ISIS, is defeated on the battlefield.

From the scheming of lone extremists with no apparent connections to terrorist groups, like the ricin plots, to fighters aligned with the Islamic State or Al Qaeda in more than two dozen countries, terrorist threats are as complex and diverse as ever, American and other Western intelligence officials said in interviews.

The Islamic State, in particular, is adapting to setbacks and increasingly using the tools of globalization — including Bitcoin and encrypted communications — to take their fight underground and rally adherents around the world.

"If you look across the globe, the cohesive nature of the enterprise for ISIS has been maintained," Russell

Travers, the acting head of the National Counterterrorism Center, said in an interview.

"There's not been any breaking up, at least not as yet," Mr. Travers said. "The message continues to resonate with way too many people."

The Pentagon's latest defense strategy elevates Russia and China above terrorism in the hierarchy of national threats. Defense Secretary Jim Mattis met late last month with the four-star commanders of American Special Operations forces and troops in Africa to discuss options for halving the number of counterterrorism forces on the continent over the next three years, and assigning them new missions.

Yet many counterterrorism specialists voiced concern that refocusing resources and political capital could go too far and give violent extremists time and space to regroup and rebound — much as the Islamic State did in 2013, emerging from the ashes of Al Qaeda in Iraq.

"Terrorist networks have spread," said Christopher P. Costa, a former senior director for counterterrorism to President Trump's National Security Council.

"I fear that without continuing counterterrorism pressure, where there are ungoverned spaces used as sanctuaries, there will be resurgent threats," said Mr. Costa, now the executive director of the International Spy Museum in Washington.

American allies are echoing similar fears. "Europe faces an intense, unrelenting and multidimensional international terrorist threat," Andrew Parker, the head of Britain's domestic spy service, MI5, said in a rare address in Berlin in May.

The ledger on the Islamic State is a mix of glaring weaknesses and stubborn offsetting strengths.

The Islamic State has lost nearly all of the territory it seized in 2014 in Iraq and Syria, but it still controls about 1,000 square miles, or roughly twice the size of Los Angeles, according to American officials. "There's still hard fighting ahead," Mr. Mattis told reporters last week.

Many of the group's senior leaders have been killed. But American intelligence and military officials warn that the Islamic State still holds sway with a potent appeal on social media for adherents, from Europe to the Philippines, to carry out attacks wherever they are.

Thousands of the roughly 40,000 fighters from more than 120 countries who joined the Islamic State in battle since 2014 died in Syria and Iraq, American and other Western officials said.

But many thousands more probably slipped away to conflicts in Libya, Yemen or the Philippines, or went into hiding in countries like Turkey, the officials said.

"I worry about very seasoned fighters who will pop up periodically," said Mr. Travers, who noted that the continuing turmoil in Syria makes it harder for spy agencies to monitor terrorists on the run. "Some are being tracked, some aren't."

Even Islamic State fighters who have been caught pose a dilemma.

The United States military is spending about \$1 million to help detain thousands of Islamic State fighters and their family members in makeshift camps run by Kurdish militias in northern Syria, drawing the Pentagon deeper into the war-zone detention operations that it has sought to avoid. Critics fear the facilities could become breeding grounds for extremists and repeat a key security miscue of the Iraq war.

The recently resumed offensive in the Middle Euphrates River Valley, called Operation Roundup, has swelled the number of people held in converted schools and office buildings to about 600 Islamic State fighters from more than 40 countries, military officials said.

Only one country has agreed to repatriate its citizen-fighters, and American officials have refused to identify it, fearing the publicity would dissuade any other takers.

New evidence of Islamic extremism has spread to countries that have not dealt with it before, like Mozambique and the Democratic Republic of the Congo.

In the northern Mozambican province of Cabo Delgado, a group that alternates between the names al-Sunnah wa Jama'ah, Swahili Sunna or al-Shabab, has unleashed a series of attacks on an impoverished region bordering Tanzania. Local officials said the group has no formal links with the Islamic extremist group Shabab in Somalia, but has copied many of their tactics.

Since they appeared last October, the Mozambican Shabab have attacked police stations, government buildings and local villages. Last month alone, nearly 40 people died in the brutal attacks and more than 1,000 were displaced as the militants burned homes, stores and other buildings.

The group's motivations for the attacks remain unknown. It has made no public statements, nor has it claimed credit for the attacks. But military and intelligence officials said it was most likely formed in reaction to the extreme poverty in Mozambique's only predominantly Muslim region.

"We are at an inflection point in the broader campaign against terrorism," said Laith Alkhouri, a senior director at Flashpoint, a business risk intelligence company in New York, assessing the global terrorist threat.

Over the past month alone, and armed with new authorities from Mr. Trump, American Special Operations

forces continue to hunt Islamic State and Qaeda operatives. In June, Mr. Trump nominated a former member of the Navy SEALS, Vice Adm. Joseph Maguire, to be the next director of the National Counterterrorism Center.

On June 6, an American Reaper drone killed four Islamic State fighters near Bani Walid, Libya, about 110 miles southeast of Tripoli, Libya's capital. A week later, another Reaper killed a Qaeda operative 50 miles southeast of Bani Walid. Ten days later, in central Yemen, American airstrikes attacked Qaeda fighters in the contested central Hadramout region.

The risks of these missions was laid bare on June 8, when an American Special Operations soldier was killed and four others were wounded in an attack in southwestern Somalia against Shabab fighters.

Even away from the battlefield, extremists on social media and the internet are proving to be potent. French authorities foiled a ricin plot by an Egyptian-born student in May after intercepting messages on the secure social media platform Telegram.

And in Cologne, Germany, authorities acting on information from American intelligence agencies last month arrested a Tunisian man who tried to buy 1,000 castor bean seeds and a coffee grinder online. The shell of the castor bean is highly poisonous and can be used to make ricin.

Plots involving ricin are not new. In 2011, for instance, American counterterrorism officials voiced increasing concern that Al Qaeda's most dangerous regional affiliate — its branch in Yemen — was trying to produce ricin, to be packed around small explosives for attacks against the United States. The threat never materialized.

Now, officials worry that the know-how from these specialized battlefield plots and operations is seeping into everyday social media conduits, where they are available for aspiring terrorists and even lone actors in their own lethal plans.

Mr. Travers declined to elaborate on the German plot. But, "it does appear that the possibility of this kind of use is growing," he said, speaking broadly of extremists' use of chemical weapons and other poisons. "And that is a concern to all of us."

How Trump's Anti-Muslim Rhetoric Has Tainted Even Well-Intentioned Efforts To Address Extremist Violence

[Los Angeles Times](#), July 7, 2018

It's hard to imagine the city of Los Angeles turning down nearly half a million dollars for worthwhile social service programs such as mental health counseling,

leadership training and refugee assistance. Yet the City Council has been debating for six months whether to accept a \$425,000 grant from the U.S. Department of Homeland Security to fund such services, amid concerns that the efforts will stigmatize and target Muslims.

Mayor Eric Garcetti's Office of Public Safety was awarded the competitive grant by DHS's Countering Violent Extremism program last year. The mayor's office developed a reasonable plan to divvy up the money among local community groups to provide counseling, workshops and education to address the conditions that can lead to violence.

The goal, the mayor's office said, is to provide social services that combat hate and bias in all forms, including white supremacy, bullying and Islamophobia along with Islamic extremism, without the involvement of law enforcement agencies.

In ordinary times, these investments probably wouldn't be controversial. The grant, for example, would provide \$45,000 to the Tiyta Foundation, an Orange County-based refugee and immigrant assistance group, to provide integration services. It would also provide \$30,000 to the group Not in Our Town to help communities develop strategies to counter white supremacist activity. And \$75,000 would go to the Cross Cultural Expressions Community Counseling Center, which provides culturally appropriate counseling and mental health treatment in a range of languages.

This won't be the last time city leaders grapple with whether to partner with the Trump administration.

But the council has yet to approve the grant. Civil liberties and Muslim-American groups are vehemently opposed, saying L.A. should not accept money from or partner with DHS in light of President Trump's policies and rhetoric targeting Muslims.

The grant is part of a strategy adopted not by Trump, but by the Obama administration in 2011 to develop community-oriented approaches to prevent the recruitment and radicalization of potential terrorists. The theory, which has found some support from researchers around the world, is that families, friends, religious leaders and community members can help recognize the early signs of radicalization and intervene before a crime or violence is committed.

But the Countering Violent Extremism program has been controversial from the beginning. At first, the program was narrowly focused on preventing radicalization and recruitment to jihadi violence, though it was later broadened to include violent groups of differing ideologies, including white supremacists and far-right extremists. Much of the early funding went to law enforcement agencies, sowing concerns that the

program was conducting surveillance of Muslim-Americans under the veneer of community partnerships.

Those concerns have only been heightened by President Trump's demonization of Muslims, from his retweeting of anti-Muslim videos to his bigoted campaign proposal to impose a "total and complete shutdown of Muslims entering the United States." Last year his administration floated the idea of revamping the Countering Violent Extremism program to focus exclusively on Islamic extremism and leave out the right-wing groups. The DHS later rescinded a \$400,000 grant that had been awarded to Life After Hate, a group that works to combat white supremacist and far-right violence — an especially galling step after the deadly violence at a white nationalist rally in Charlottesville.

So, yes, there are reasons to be wary of the administration's intentions in awarding these funds.

Nevertheless, Los Angeles shouldn't reject the grant out of hand — not when the money presents an opportunity to do valuable community work. Despite our serious misgivings about this president, we have said that the city and the state should work with the Trump administration when it's mutually beneficial and doesn't reduce protections for human and civil rights or equality.

With this grant, Los Angeles is presented with the opportunity to use federal dollars to address the root causes that can drive individuals to violence, including alienation, hopelessness and mental health problems. The need for social services in general often outstrips the supply, and few resources may be available for families or friends of those who are being pulled toward violent extremist groups. This community-based, proactive approach to preventing radicalization contrasts sharply with policies increasing favored by the Trump administration that promote a reactive, law enforcement approach.

This won't be the last time city leaders grapple with whether to partner with the Trump administration. If Los Angeles can ensure the grant-funded programs broadly address the conditions that fuel terrorism and do it in a way that respects communities and protects civil rights — as Garcetti's office says it's doing — then there's no reason to turn down the money.

Dick Cheney Signs 'Waterboard Kit' In Latest Sacha Baron Cohen Teaser

By Daniel Chaitin

[Washington Examiner](#), July 8, 2018

Comedian Sacha Baron Cohen appears to get former Vice President Dick Cheney to sign a "waterboard kit" in a teaser video for his upcoming project.

In a video posted to Twitter on Sunday, in which Cohen suggests he went under cover for a year to film, the actor can be heard asking, "Dick Cheney, is it possible for you to sign my waterboard kit?"

Cheney then appears, sitting on an chair. He says, "sure" and signs an empty gallon-sized container for water.

"That's a first. First time I've ever signed a water board," he adds before the short video ends.

pic.twitter.com/ngkMhXeReK— Sacha Baron Cohen (@SachaBaronCohen) July 8, 2018

It's unclear whether the footage has been doctored.

The former vice president was one of the fiercest advocates of extreme interrogations in the Bush administration after the Sept. 11 attacks, arguing waterboarding helped interrogators get information from al Qaeda in an effort to protect American lives.

Cohen, who is famous for bringing to life larger-than-life comedy characters like Borat and Ali G where he would interact with real people who did not know Cohen was in character, is reportedly set to make his next appearance in "Who Is America?", which will premiere next Sunday on Showtime, according to Vulture.

In a tweet on July 4, Cohen shared a "message from your President," in which Trump insults the actor as a "third-rate character." The video ends with text saying Cohen will be graduating soon from Trump University.

A message from your President @realDonaldTrump on Independence Day pic.twitter.com/O2PwZqO0cs— Sacha Baron Cohen (@SachaBaronCohen) July 4, 2018

With Much At Stake In Yemen Port, Coalition Puts Advance On Hold

By Asa Fitch

[Wall Street Journal](https://www.wsj.com/articles/with-much-at-stake-in-yemen-port-coalition-puts-advance-on-hold-1531100000), July 8, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Turkey Dismisses Over 18,000 Civil Servants For Alleged Terror Links

President Erdogan is about to take office with vastly expanded executive powers

By David Gauthier-Villars

[Wall Street Journal](https://www.wsj.com/articles/turkey-dismisses-over-18000-civil-servants-for-alleged-terror-links-1531100000), July 8, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

NATIONAL SECURITY NEWS

Mayor De Blasio Used NYPD Counterterrorism Plane To Fly From Canada To Bronx

By Jillian Jorgensen, Graham Rayman, Bill Sanderston

[New York Daily News](https://www.nydailynews.com/politics/de-blasio-used-nypd-plane-canada-bronx-ceremony/article11330331.html), July 6, 2018

Taxpayers shelled out at least \$3,850 for Mayor de Blasio's NYPD airplane trip Thursday to a Bronx ceremony — more than three times what it would have cost if he and two security officers flew commercial, a Daily News analysis found.

De Blasio, who is on vacation in Quebec, traveled to the Bronx on Thursday as a street was renamed for NYPD hero officer Miosotis Familia, who was shot and killed on July 5, 2017.

It would have cost de Blasio and two security officers between \$900 and \$1,200 to make the trip from Montreal by plane, travel websites Hotwire.com and Kayak show.

Instead, the mayor flew from Montreal to Westchester County Airport in the NYPD's Cessna 208 Caravan, which is outfitted with sophisticated radiation detection equipment.

The plane — which the NYPD used in counterterrorism work — was in the air for seven hours in service of de Blasio's Montreal-Bronx-Montreal trip.

The News' calculation that the trip cost at least \$3,850 is based on an estimate by aviation consultant Ken Paskar that it typically costs \$550 per hour to fly a Cessna 208 Caravan.

Paskar based his estimate on aviation industry standard costs. His calculation covers fuel and maintenance. It does not include the plane's \$3 million price tag or the wages of its pilots — which would likely drive up the cost even more.

De Blasio's round trip Thursday between Montreal and the Bronx was his first use of the plane, mayoral spokesman Eric Phillips said.

A former police official told The News that setting up the trip would have taken some time — and that de Blasio could easily have figured out another way to travel to the ceremony.

"This wasn't planned in three hours. These things are planned well in advance," the former police official said.

"You could have made other arrangements," the official added. "In this case, one could raise the question that it was an inappropriate use of resources. You can't not care about appearances when dealing with something like this."

Public Advocate Letitia James initially balked at judging de Blasio's use of the plane, but later said, "I don't believe it was an appropriate use of that aircraft."

A police spokesman declined to answer specific questions on the use of the plane, citing security.

"The use of NYPD resources for protection and transportation is determined by the Intelligence Bureau in coordination with other relevant department units, and it is based on a range of factors, including security, scheduling and efficiency," the spokesman said.

"These assets are deployed to ensure they do not impact other operational needs of the NYPD."

De Blasio's trip to the Bronx required four separate flights.

The NYPD counterterror plane took off from MacArthur Airport in Islip at 6:36 a.m. Thursday and arrived in Montreal at 8:18 a.m.

The plane departed Montreal at 9:09 a.m. with de Blasio aboard, and landed at Westchester County Airport at 10:58 a.m.

The plane parked at Westchester until 1:48 p.m. and then flew de Blasio back to Montreal arriving at 3:34 p.m. It left Montreal at 4:19 p.m. and returned to MacArthur Airport at 6:12 p.m.

The NYPD uses the plane to overfly ships headed to New York Harbor. The plane is outfitted to detect radiation aboard the ships that might indicate they're carrying something that threatens the city. The overflights are usually conducted dozens of miles from the harbor.

The city bought the plane last year. Federal funds from the Department of Homeland Security covered 75% of the \$3 million price of the Cessna single engine turboprop. The city kicked in 25%.

"If we detect a potential dirty bomb in the port, it's already too close," Inspector James Coan, commanding officer of the Aviation Unit, told the Daily News in October. "The plane allows us to detect an anomaly a half-a-day to a day before it reaches the port."

The plane, which seats up to eight people, was used during the 2017 UN General Assembly. It also carries an infrared camera that can send live images and video to police headquarters. It can remain in the air for five to six hours.

The plane has also been used since May 1 for flights to and from Boston Logan Airport, Washington, D.C., and Albany. The purpose of the flights and the identity of passengers was unknown.

The Sergeants Benevolent Association — a union representing police sergeants — took a swipe at de Blasio's use of the plane.

"WHO GETS A FAIL to SUPERVISE for this?" the union asked on Twitter, referring to a common charge used against sergeants in disciplinary cases.

"WHY isn't the Federal Government looking at improper use of GRANT MONEY?" the union asked. (Federal grant money) specifically limits its use for counter terrorism."

An NYPD official took issue with that claim. "The notion that NYPD assets are limited in how they can be deployed is inaccurate," the official said. "NYPD assets can and do perform multiple missions, and have diverse functionality and capability."

De Blasio in 2016 was criticized for using an NYPD chopper to travel from Prospect Park to an event in Queens. "I really don't understand what this is all about," he told reporters at the time.

Bill De Blasio Takes \$3 Million City Counter-Terror Plane Home From Vacation

By Jack Crowe

[National Review](#), July 6, 2018

New York mayor Bill de Blasio returned home Thursday from his vacation property in Canada on a \$3 million plane purchased by the city for counter-terrorism operations, the Daily News reports.

De Blasio, who flew to Canada on a commercial flight, was returning to New York City to attend a ceremony renaming a city street after a fallen NYPD officer. It was the first time he used the plane, according to City Hall spokesman Eric Phillips.

The plane, which is outfitted with high-tech sensors and infrared cameras, was purchased to conduct flyovers of New York Harbor and examine incoming ships for radiation. The city paid for 25 percent of the plane's total cost while the Department of Homeland Security covered the remaining 75 percent.

"If we detect a potential dirty bomb in the port, it's already too close," Inspector James Coan, commanding officer of the NYPD Aviation Unit, told the Daily News in October. "The plane allows us to detect an anomaly a half-a-day to a day before it reaches the port."

De Blasio previously faced criticism for using an NYPD helicopter to travel from Brooklyn to Queens in 2014. "I really don't understand what this is all about," he told reporters at the time when asked about the controversy.

The Democratic mayor's use of a city-owned SUV to travel eleven miles to his preferred YMCA gym in Park Slope, Brooklyn has also drawn criticism from activists, who claim it is at odds with his public environmental advocacy.

Donovan Looks To Beef Up Dept. Of Homeland Security

By Paula Katinas

[Brooklyn \(NY\) Reporter](#), July 6, 2018

Terrorists are always working to develop new ways to attack the U.S. and the nation needs to be ready to counter them, according to a Southwest Brooklyn lawmaker who is seeking to beef up the Department of Homeland Security.

U.S. Rep. Dan Donovan, a Republican representing portions of southwest Brooklyn and all of Staten Island, has introduced legislation that he said would ensure that the Department of Homeland Security (DHS) has the tools it needs to parry continuing threats posed by terrorists looking to use weapons of mass destruction.

The bill, called the "Countering Weapons of Mass Destruction Act," would create a new office, the Countering Weapons of Mass Destruction (CWMD) Office, which would operate under the jurisdiction of DHS.

The idea is to improve coordination among various anti-terror efforts at the federal level, Donovan said.

"The threats our nation faces from our adversaries are always evolving. Terrorist groups want to inflict maximum damage by using a wide scope of weapons including chemical, biological, radiological and nuclear agents," Donovan said in a statement.

The bill also calls permanent authorization by the federal government of Securing the Cities, a program that provides resources to local governments to work to prevent nuclear and radiological attacks in urban settings like New York City that are considered to be high-risk areas.

Donovan, who is chairperson of the House Subcommittee on Emergency Preparedness, Response, and Communications, said he included several ideas in his bill that had been brought up by anti-terror experts at a subcommittee hearing he chaired earlier this year.

"The improvements my bill calls for come directly from expert testimony outlined during a previous hearing on weapons of mass destruction, and it's critical that we continue to give DHS the tools needed to secure our nation and the American people," he stated.

One witness at the hearing testified that the creation of a Countering Weapons of Mass Destruction Office would result in better sharing of ideas between agencies.

Last month, the House passed the "Shielding Public Spaces from Vehicular Terrorism Act," a bill Donovan introduced to improve efforts to fight vehicular terror attacks.

Syrian State Media Says Air Defenses Hit Israeli Plane, Thwart Missile Strike

[Reuters](#), July 8, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Thousands Who Fled Recent Fighting In Syria Return Home

By Bassem Mroue And Fares Akram

[Associated Press](#), July 8, 2018

BEIRUT (AP) — Most Syrians displaced by recent fighting stranded at the border with Jordan in the country's south have returned to their homes, a U.N. official and a group that closely monitors the Syrian war said Sunday.

The return to areas now controlled by the government came two days after Syrian troops regained control of the Naseeb border crossing with Jordan, along with a long stretch of the border between the two countries. On Saturday Syrian troops hoisted national flags at the border crossing point three years after losing it to rebels.

Syria's government offensive to retake the province of Daraa from insurgents, which began on June 19, has displaced some 330,000 people, many of them heading to the border with Jordan that refused to allow refugees to cross. The fighting in the border area stopped on Friday under a Russian-mediated surrender deal.

Anders Pedersen, the top U.N. humanitarian coordinator in Jordan, told reporters Sunday that just 150 to 200 Syrians remained near a key crossing point into Jordan, adding that as "far as we understand they are almost exclusively men."

But the situation "remains very difficult and it's of a huge concern to us," Pedersen told reporters, repeating calls for a cessation of hostilities to allow humanitarian operations and eventually reaching a political settlement to the Syrian crisis.

Syrian opposition activists reported intense shelling and airstrikes on the rebel-held village of Um al-Mayadeen, few kilometers (miles) north of the Naseeb border crossing. Hours later, state news agency SANA said troops captured Um al-Mayadeen after a battle with opposition fighters.

Although the main rebel groups in the eastern parts of Daraa province have accepted to hand over their weapons as part of the Russian-mediated deal, some have vowed to continue fighting, mostly in western parts of Daraa and the nearby Quneitra region on the front with the Israeli-occupied Golan Heights.

International relief agency CARE said told The Associated Press on Sunday that thousands of displaced Syrians have moved from areas close to the Jordanian border back to towns and villages that recently signed Russian-brokered reconciliation agreements with the Syrian government. It added that more Syrians are refusing to go back home out of fears of detention or conscription into the army.

CARE said that "waves of people have moved to western Daraa" and Quneitra, as the government troops seized control of areas in the southeast of the country.

Many families who sought protection from bombardments and shifting front lines continue to live out in the open, CARE said. They "are in desperate need of food, shelter and clean water, which is scarce and prohibitively expensive due to the high demand in densely populated areas," it added.

Pedersen said the U.N. organizations need to respond to the populations in southwest Syria, especially the displaced returning home from the Jordanian border and from near the Golan Heights, where they have fled airstrikes and shelling in the past weeks.

"Our biggest concern right now and our biggest ask is to allow us to move in... to reach the populations that we know are in greatest need," Andersen said.

The Britain-based Syrian Observatory for Human Rights said some 60,000 Syrians have returned to their homes, while thousands of others fled to another area, also adding that they feared detention by government forces or being drafted to the military.

Akram reported from Amman, Jordan.

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US, Afghan Forces Clear Islamic State From Eastern District

By James Mackenzie

[Reuters](#), July 8, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

U.S. Soldier Killed In Afghanistan Was Supporting The Army's New Adviser Brigade

By Dan Lamothe

[Washington Post](#), July 8, 2018

The U.S. soldier killed in an insider attack in Afghanistan on Saturday was deployed in support of a new U.S. Army adviser dispatched as part of the Trump

administration's strategy for the war, U.S. military officials said.

Cpl. Joseph Maciel was deployed with the 1st Security Force Assistance Brigade and attacked by an Afghan soldier at Tarin Kowt airfield in Uruzgan province, said Army Lt. Col. Martin O'Donnell, a military spokesman in Kabul. The brigade's soldiers were deployed early this year to provide training and advising to Afghan soldiers and police, and are distributed across the country.

Maciel was a member of the Army 3rd Infantry Division's 1st Battalion, 28th Infantry Regiment, according to a statement from U.S. military headquarters in Kabul. He deployed in February to provide security for the brigade's military advisers, and was from South Gate, Calif. Maciel's death marks the first for a soldier deployed with the adviser brigade.

Two other U.S. soldiers were wounded in the attack, O'Donnell said. They are listed in stable condition, but no additional details about the extent of their injuries were released. O'Donnell declined to release additional details about the attack, citing an open investigation.

The ambush will inject new stress on the U.S. military's plans to place conventional military advisers from the brigade in closer proximity to Afghan troops than the Pentagon has in years.

Conventional U.S. troops and Afghan forces once worked and patrolled together regularly, but that was curtailed as the Obama administration cut the number of U.S. troops in Afghanistan from more than 100,000 in 2010 and 2011 to less than 9,000 in 2016.

After a lengthy review, President Trump announced last August that he had decided to reshape the U.S. mission in Afghanistan, loosening restrictions on airstrikes while also boosting the number of U.S. service members deployed by a few thousand soldiers.

Part of that strategy included sending the adviser brigade, commonly known as the SFAB. The unit, established last year, deployed with about 800 advisers and about an additional 300 soldiers, including Maciel.

Many other units have advised local forces in Iraq, Afghanistan and other nations, but the SFAB was planned as a unit that would be more prepared to coordinate directly with local units than combat units have been in the past. The advisers, before deploying, attended an academy at Fort Benning, Ga., that focuses on developing rapport with Afghan soldiers, communicating effectively through an interpreter and learning foreign languages.

The brigade's commander, Col. Scott Jackson, told reporters June 13 that none of his soldiers had come under fire in the first three months of the unit's

deployment, and that the soldiers they were training had all undergone vetting to make sure they did not pose a threat.

"I will tell you honestly, we have had our Afghan partners come to us with intelligence that preempted potential attacks, and they have been proactively taking care of their own problems," Jackson said.

He added: "They understand, culturally and, honestly, militarily, the value of our safety," he said. "It's ingrained in their hospitality — in their culture of protecting their guests. And we are viewed as guests in their organization."

The death marks the third U.S. combat death in Afghanistan this year. It also marks the first time a U.S. service member has been killed in an insider attack since June 2017. In August 2017, a Romanian soldier was wounded in another insider attack.

Obama Admin Had The Chance To Cripple The Global Heroin Trade, But It Chose To Play Politics Instead: Report

By Ryan Pickrell

[Daily Caller](#), July 8, 2018

The Obama administration reportedly had the chance to cripple the global heroin trade funding terrorism in war-torn Afghanistan, but it shelved the plan to advance a broader political agenda.

The administration, citing political concerns, shut down a plan to stop the spread of narcotics around the world, prevent Afghanistan's emergence as a narco-state, and sever the critical revenue streams financing the deadly insurgency American troops are fighting and dying to end, Politico's John Meyer reported Sunday.

The plan — Operation Reciprocity — was drafted by Drug Enforcement Administration and Department of Justice legal advisers, but the high-stakes strategy was strangled in its crib by the Obama administration's deputy chief of mission in Kabul, Tina Kaidanow, to protect the administration's strategic ambitions.

Kaidanow told Politico that there were serious concerns the plan would impact the White House's Afghanistan strategy, including but not limited to the proposed drawdown of America's military presence in the region. At the time Operation Reciprocity was just starting to gain momentum in the summer of 2013, the conflict in Afghanistan had already cost American taxpayers \$686 billion, not to mention the more than 2,000 American lives sacrificed to the war. It appears the administration caved to the political pressure.

The plan's architects argued that Operation Reciprocity was in line with the administration's initiatives and crucial to securing a better future for Afghanistan.

"This was the most effective and sustainable tool we had for disrupting and dismantling Afghan drug trafficking organizations and separating them from the Taliban," Michael Marsac, the DEA regional director for Southwest Asia who helped draft the plan with DOJ law enforcement adviser John Seaman, told reporters, adding that the plan to indict 26 Taliban commanders and allied drug lords and try them in U.S. courts — a strategy based on that used against guerrillas in Colombia — "lies dormant, buried in an obscure file room, all but forgotten."

Operation Reciprocity's designers argue that the plan was abandoned not only because the Obama administration feared it would impact plans for a withdrawal from Afghanistan, but also because it threatened engagement and peace talks with the Taliban, as well as negotiations for a prisoner swap that would ultimately see the release of U.S. Army Sgt. Bowe Bergdahl in exchange for five senior terrorist leaders held in Guatanamo Bay.

There were also bureaucratic reasons for the shutdown, specifically chain-of-command and procedural errors.

The drug lords in the crosshairs were supporting Taliban forces and other regional extremists, as well as supplying more than 90 percent of the world's heroin, which included heroin fueling an emerging opioid crisis in the U.S.

After the Operation Reciprocity agents were given the stand-down order in 2013, drug raids occurred infrequently, and the narcotics trade flourished. By 2015, Taliban forces, operating with increased funding, surpassed the Islamic State as the world's deadliest terrorist organization. Poppy cultivation and heroin production are surging to record highs as extremists seize more territory and carry out terrorist attacks with greater frequency, Politico reports, citing Department of State statistics.

The Trump administration has made the targeting of Taliban revenue sources a priority, with American bombers even setting records for the number of bombs dropped on training and narcotics facilities. (RELATED: US Air Force B-52 Shatters Bombing Record While Blowing Taliban Training And Narcotics Facilities To Bits)

But the architects of Operation Reciprocity are hoping the administration will pull the old plan out of the mothballs, dust it off, and put it into action as part of the administration's evolving strategy in Afghanistan.

The Secret Story Of How America Lost The Drug War With The Taliban

A high-stakes plan to indict Afghan drug lords and insurgency leaders on criminal conspiracy charges ran afoul of the Obama team. Five years later, it remains buried under Trump.

By Josh Meyer

[Politico](#), July 8, 2018

As Afghanistan edged ever closer to becoming a narco-state five years ago, a team of veteran U.S. officials in Kabul presented the Obama administration with a detailed plan to use U.S. courts to prosecute the Taliban commanders and allied drug lords who supplied more than 90 percent of the world's heroin — including a growing amount fueling the nascent opioid crisis in the United States.

The plan, according to its authors, was both a way of halting the ruinous spread of narcotics around the world and a new — and urgent — approach to confronting ongoing frustrations with the Taliban, whose drug profits were financing the growing insurgency and killing American troops. But the Obama administration's deputy chief of mission in Kabul, citing political concerns, ordered the plan to be shelved, according to a POLITICO investigation.

Now, its authors — Drug Enforcement Administration agents and Justice Department legal advisers at the time — are expressing anger over the decision, and hope that the Trump administration, which has followed a path similar to former President Barack Obama's in Afghanistan, will eventually adopt the plan as part of its evolving strategy.

"This was the most effective and sustainable tool we had for disrupting and dismantling Afghan drug trafficking organizations and separating them from the Taliban," said Michael Marsac, the main architect of the plan as the DEA's regional director for South West Asia at the time. "But it lies dormant, buried in an obscure file room, all but forgotten."

A senior Afghan security official, M. Ashraf Haidari, also expressed anger at the Obama administration when told about how the U.S. effort to indict Taliban narcotics kingpins was stopped dead in its tracks 16 months after it began.

"It brought us almost to the breaking point, put our elections into a time of crisis, and then our economy almost collapsed," Haidari said of the drug money funding the Taliban. "If that [operation] had continued, we wouldn't have had this massive increase in production and cultivation as we do now."

Poppy cultivation, heroin production, terrorist attacks and territory controlled by the Taliban are now at or near record highs. President Ashraf Ghani said recently that Afghanistan's military — and the

government itself — would be in danger of imminent collapse, perhaps within days, if U.S. assistance stops.

But while President Donald Trump has sharply criticized Obama's approach in Afghanistan, his team is using a similar one, including a troop surge last year and possibly another, and, recently, a willingness to engage in peace talks with the Taliban.

The top-secret legal document that forms the plan's foundation remains locked away in a vault at the U.S. Embassy in Kabul, and would need to be updated to reflect the significant expansion of the Taliban-led insurgency, said retired DEA agent John Seaman, who helped draft it as a senior law enforcement adviser for the Justice Department in Kabul. But he said the organizational structure of the Taliban leadership has remained mostly the same.

"We have the ability to take these folks out," he said. "Here's your road map, guys. All you need to do is dust it off and it's ready to go."

The plan, code-named Operation Reciprocity, was modeled after a legal strategy that the Justice Department began using a decade earlier against the cocaine-funded leftist FARC guerrillas in Colombia, in concert with military and diplomatic efforts. The new operation's goal was to haul 26 suspects from Afghanistan to the same New York courthouse where FARC leaders were prosecuted, turn them against each other and the broader insurgency, convict them on conspiracy charges and lock them away.

In Afghanistan, though, there was exponentially more at stake in what had become America's longest war — and the clock was ticking.

By the time that plans for Operation Reciprocity reached fruition, in May 2013, the conflict had cost U.S. taxpayers at least \$686 billion. More than 2,000 American soldiers had given their lives for it. And the Obama administration already had announced it would withdraw almost entirely by the following year. Like the Bush White House before it, it had concluded that neither its military force nor nuanced nation-building could uproot an insurgency that was financed by deeply entrenched criminal networks that also had corrupted the Afghan government to its core.

"We looked at this as the best, if not the only way, of preventing Afghanistan from becoming a narco-state," said Seaman, referring to the government's term for a country whose economy is dependent on the illegal drug trade. He described Operation Reciprocity as a fast, cost-effective and proven way of crippling the insurgency — akin to severing its head from its body — before the U.S. handed over operations to the Afghan government. "Without it," he said, "they didn't have a chance."

The document — a 240-page draft prosecution memo and 700 pages of supporting evidence — was the result of 10 years of DEA investigations done in conjunction with U.S. and allied military forces, working with embassy legal advisers from the departments of Justice and State. In May 2013, it was endorsed by the top Justice Department official in Kabul, who recommended it be sent to DOJ's specialized Terrorism and International Narcotics unit in Manhattan. After agents flew in from Kabul for a three-hour briefing, the unit enthusiastically accepted the case and assigned one of its best and most experienced prosecutors to spearhead it.

The timeline Skip the timeline

1970s and 1980s

Drug Enforcement Administration agents investigate Afghanistan's narcotics trade but evacuate in 1979 when Soviet troops invade. Opium trafficking skyrockets with help from U.S.-funded Pakistani agents, who deliver weapons to Afghan mujahedeen freedom fighters and help them export their opium.

2002

The DEA leads Operation Containment, a coalition campaign launched after 9/11 to thwart the global narcotics trade by choking off the flow of heroin out of Afghanistan, the world's leading opium producer, and helping the new Kabul government develop drug enforcement capability.

2005

The DEA takes custody of the first of several Taliban-affiliated Afghan heroin kingpins ultimately tried and convicted in New York courts of overseeing international trafficking organizations importing millions of dollars of narcotics into the U.S. since 1990. Baz Mohammad told co-conspirators that Islamic law approved of their "jihad" to take Americans' money and kill them through heroin use and addiction.

2007

The DEA helps seize \$3.5 billion in narcotics in Afghanistan, up from \$1.6 billion in 2005, but the drug trade continues to fuel a massive expansion of the Taliban insurgency and governmentwide corruption. DEA agents double down on tactics they used against Colombia's FARC narco-terrorists, including military style raids and targeting kingpins with U.S. indictments.

2009

Alarmed by Afghanistan's inability, or unwillingness, to use its own courts to tackle drug kingpins, Congress funds the biggest-ever international surge of agents in DEA history. More than 80 agents ultimately deploy; three are killed in a November helicopter crash after a major drug raid.

2011

President Barack Obama announces a September 2014 U.S. troop withdrawal and end to the U.S. involvement in the conflict. DEA Kabul soon launches Operation Reciprocity in hopes of quickly decapitating the Taliban leadership before handing over operations to the Afghan government.

2013

DEA Kabul, with support from Justice and State department officials in Afghanistan, unveils a 940-page narcoterrorism prosecution plan to indict 26 Taliban commanders and allied drug lords and try them in U.S. courts. After DOJ's Terrorism and International Narcotics Unit in New York approves it, a State Department diplomat in Kabul finds out and shuts down all investigative activity in the case.

2016

DEA agents bust a multimillion-dollar Afghanistan-to-U.S. heroin-smuggling ring that informants said had operated for decades. Presidential candidate Donald Trump vows to withdraw from Afghanistan but, once elected, says Taliban leaders and drug kingpins have fostered 20 terrorist groups in the country and threaten U.S. security.

2018

Senior Trump administration officials visit Afghanistan to discuss an additional troop surge and even peace talks with the Taliban but include no plans for incorporating DEA law enforcement efforts as part of their evolving Afghanistan strategy.

"These are the most worthy of targets to pursue," Assistant U.S. Attorney Adam Fee, who had successfully prosecuted some of the FARC cases, wrote in an email to Seaman.

But before Fee could pack for his first trip to Afghanistan, Operation Reciprocity was shut down.

Its demise was not instantaneous. But the most significant blow, by far, came on May 27, 2013, when the then-deputy chief of mission, Ambassador Tina Kaidanow, summoned Marsac and two top embassy officials supporting the plan to her office, and issued an immediate stand-down order.

In an interview, Kaidanow — currently the State Department's principal deputy assistant secretary for political-military affairs — said she didn't recall details of the meeting or the specifics of the plan. But she confirmed that she felt blindsided by such a politically sensitive and ambitious effort and the traction it had received at Justice. If she did issue such an order, she said, it was because she — as the administration's "eyes" in Afghanistan — had concerns it would undermine the White House's broader strategy in Afghanistan, including a drawdown that included the DEA as well as the military.

And the White House's overriding priority ahead of the drawdown, she told POLITICO, was to use all tools at its disposal "to try and find a way to promote lasting stability in Afghanistan," with peace talks integral to that effort. "So the bottom line is it had to be factored into whatever else was going on," she said of the Taliban indictment plan. "We look at that entire array of considerations and think, you know, does it make sense in the moment? Does it make sense later on? Does it make sense at all?"

Its authors counter that Operation Reciprocity was designed in accordance with that White House strategy, an assertion backed up by interviews with current and former officials familiar with it and a review of government documents and congressional records. The authors believe the real reason it was shut down was fears it would jeopardize the administration's efforts to engage the Taliban in peace talks and still-secret prisoner swap negotiations involving U.S. Army Sgt. Bowe Bergdahl. They tried to revive the effort after Kaidanow transferred back to Washington that fall, but by then, they say, circumstances had changed and the project never gained traction again.

Recently, Seaman came forward to say that he and his former colleagues had all but given up on Operation Reciprocity until they discovered that the Trump administration had established a special task force to review and resurrect Hezbollah drug trafficking cases after a POLITICO report disclosed that they were derailed by the Obama administration's determination to secure a nuclear deal with Iran.

The Afghanistan team members said there are striking parallels between their case and Project Cassandra, the DEA code name for the Hezbollah investigations, as well as nuclear trafficking cases disclosed in another POLITICO report as being derailed because of the Iran deal. Taken together, they said, the cases show a troubling pattern of thwarting international law-enforcement efforts to the overall detriment of U.S. national security.

Now they are hoping the Trump administration will review and revive Operation Reciprocity, too, saying Trump's Afghanistan strategy cannot succeed without also incorporating an international law enforcement effort targeting the drug trade that helps keep the Taliban in business.

Besides helping the military take strategic leaders off the battlefield, they said, it could provide much-needed leverage to finally bring the militant group to the negotiating table and also break up the criminal patronage networks undermining the Kabul government.

For now, though, the plan remains buried in DEA files, and even most agency leadership is unaware of it,

several current and former agency officials said. "I don't think a lot of people even know that we did this, that this plan is in existence and is a viable thing that can be resurrected and completed," said Marsac, whose eight years in and around Afghanistan for the DEA make him one of the longest-serving Americans there during the war.

Such an undertaking would involve serious logistical challenges to capture drug lords and prosecute them in the United States, not to mention the destabilizing effect on the Afghan economy, from farmers who grow poppies to corrupt government officials accustomed to bribes.

"We've made a deal with the devil on many occasions, in an effort not to antagonize anybody and kick the can down the road," Marsac said. "But you've got to cut that off. It might be painful at first, but it has to be confronted."

Haidari, the director-general of Policy and Strategy for Afghanistan's Ministry of Foreign Affairs, agrees and says it is something his country cannot yet do entirely on its own. Haidari recently helped lead a summit meeting in Kabul of 23 countries, including the United States, in proposing another round of peace talks with the Taliban as well as more military aid. Last month, Afghanistan had its first official cease fire since the insurgency began, but it lasted only three days – and demands that the Taliban get out of the narcotics trafficking business weren't among the conditions.

Haidari said the missing ingredient in the current scenario is a robust U.S. law enforcement effort to help Afghanistan starve the insurgency by attacking the Taliban's drug funding, which, he noted, was precisely what Operation Reciprocity was designed to do.

"That much money automatically involves their leadership and shows that they are narco-terrorists. You have to go after them," even if peace talks are also pursued, Haidari said. "If you want to make peace with them, and you discontinue going after them, then the DEA is no longer allowed to do what it needs to do. And that is exactly what happened." The alliance of the kingpins

Obama was upbeat in his June 2011 address announcing a gradual end to the U.S. war in Afghanistan, saying, "We're starting this drawdown from a position of strength." The rugged country that once provided Al Qaeda its haven no longer represented the same terrorist threat to the American people, Obama said, and U.S. and coalition forces had thwarted the insurgency's momentum.

The DEA's Marsac believed from his many years in country that the situation on the ground wasn't nearly as

stable as Obama suggested. And that things were getting worse, not better.

Obama was correct that most of Al Qaeda's remaining forces had left for neighboring Pakistan. But Taliban-controlled territory was now home to at least a dozen other terrorist groups with international aspirations. The Taliban itself had evolved, too, from an insular group without animus toward the United States into a lethal narco-terrorist army waging war against the American forces that had deposed it for its indirect role in the 9/11 attacks.

To finance its insurgency, the Taliban was reaping anywhere from \$100 million to \$350 million a year from its cut of the narcotics trade in hashish, opium, heroin and morphine, according to U.S., United Nations and other estimates. Much of the money went to pay for weapons, explosives, soldiers for hire and bribes to corrupt government officials.

For decades, much of the region's narcotics trade had been controlled by the Quetta Alliance, a loose confederation of three powerful tribal clans living in the Pakistani border town of the same name. At a June 1998 summit, the clan leaders gathered secretly to approve another alliance — with the Taliban, which ruled Afghanistan at the time, according to classified U.S. intelligence cited in Operation Reciprocity legal documents.

Under the "Sincere Agreement," the drug lords pledged their financial support for the Taliban in exchange for protection of their vast swaths of poppy and cannabis fields, drug processing labs and storage facilities. The ties were solidified further when the U.S. invasion toppled the Taliban after 9/11 and forced top commanders to flee to Quetta, where they formed a shura, or leadership council.

In the early years of the U.S. occupation, the Pentagon and CIA cultivated influential Afghan tribal leaders who were not part of the Quetta Alliance, even if they were deeply involved in drug trafficking, in order to turn them against the Taliban. That willingness to overlook drug trafficking was assisted by their belief that the drugs were going almost entirely to Asia and Europe.

But a lot of Afghan heroin was also coming into the United States, indirectly, including through Canada and Mexico, according to DEA, Justice Department and congressional officials and documents. Over time, growing numbers of Americans addicted to legally prescribed opioids were finding an alternative in the ample, but often deadly, narcotics supply on the streets.

Even as the body counts mounted in Afghanistan, few Americans associated the war with growing opioid death and addiction rates in the U.S., including, importantly, appropriators in Congress. Lawmakers

spent billions of taxpayer dollars annually on both the U.S. military campaign and reconstruction effort. But they earmarked just a tiny percentage of that for DEA efforts to counter the drug networks bankrolling the increasingly destructive attacks on both of them, records and interviews show.

As a result, as of 2003, the DEA deployed no more than 10 agents, two intelligence analysts and one support staff member in the entire country.

The agency's primary mission was to disrupt and dismantle the most significant drug trafficking organizations posing a threat to the United States. Another mission was to train Afghan authorities in the nuts and bolts of counternarcotics work so that they could take on the drug networks themselves.

Over the next three years, as the U.S. military cut back its presence in Afghanistan to focus on the Iraq War, the Taliban roared back to life. The DEA agents and their Afghan protégés were left to stanch the flow of drug money to the growing insurgency.

Even after the U.S. and NATO countries began adding troops in 2006, the Afghan police and military counternarcotics forces were outgunned, outnumbered and outspent by the drug traffickers and their Taliban protectors, according to documents and interviews.

Kabul's criminal justice system remained a work in progress. Afghan prosecutors, with help from the DEA and the Justice Department, were putting away 90 percent of those charged with narcotics crimes. But most were two-bit drug runners whose convictions didn't disrupt the flow of drug money, records show.

Washington was coming to the realization that the Kabul government lacked the institutional capacity and the political will to take on the top drug lords, according to Rand Beers, who held a top anti-narcotics position in the George W. Bush administration.

Lucrative bribes had compromised police and government officials from the precinct level to the inner circle of U.S.-backed President Hamid Karzai. That meant the more senior that suspected drug traffickers were, the less successful U.S. authorities were in pressuring the Afghans to act against them.

As had been the case in Colombia, the drug kingpins were overseeing what had become vertically integrated international criminal conglomerates that generated billions of dollars in illicit annual proceeds. That made them, effectively, too big for their home government to confront.

The only criminal justice system willing and able to handle such networks was the one in the United States. By then, the U.S. Justice Department had indicted and prosecuted significant kingpins from Mexico, Thailand

and, beginning in 2002, dozens of FARC commanders and drug lords from Colombia.

In response, the DEA took two pages from its “Plan Colombia” playbook. It began embedding specially trained and equipped drug agents in military units, to start developing cases against the heads of the trafficking networks. It also worked closely with specially vetted Afghan counternarcotics agents. These Afghans were chosen by DEA agents for their courage, experience and incorruptibility, and then polygraphed and monitored to keep them honest.

Together, the vetted Afghans and their DEA mentors established a countrywide network of informants and undercover operatives that penetrated deeply into the transnational syndicates. The crown jewel of that effort was a closely guarded electronic intercept program, in which DEA agents showed their Afghan counterparts how to obtain court-approved warrants and develop the technical skills needed to eavesdrop on communications.

The hundreds of warrants authorized by Afghan judges provided a real-time window into the flows of drugs and money — from negotiations of individual narcotic sales to forensic road maps of the trafficking networks’ logistics and financial infrastructure. DEA agents also worked with a special Sensitive Investigative Unit to map the drug, terror and corruption networks.

As the insurgency grew and became more costly to sustain, that evidence began to show the Taliban methodically assuming a more direct operational role in the drug trade, pushing out middlemen and extracting more profit — and money for the war effort — at every step of the process. All of the evidence was admissible in courts in Kabul and the United States. And it led agents straight to the top of the Taliban leadership — including its one-eyed supreme commander, Mullah Mohammad Omar, according to documents and interviews.

By the end of the Bush administration, the Justice Department had indicted four top Afghan drug lords, who were ultimately captured and flown stateside or lured there under pretense, then prosecuted and convicted. A top-secret “target list” circulating at the time drew a bull’s-eye on three dozen others who were next in the barrel, a Pentagon counternarcotics official said in an interview.

As Bush prepared to pass the reins of government to Obama, it was clear to both administrations that the Afghan government wouldn’t be able to halt the flow of drug money to the insurgency on its own.

Bush’s outgoing Ambassador William Wood acknowledged as much in a withering cable back to Washington in January 2009, saying that the narcotics trade had become so pervasive that it made up one-third

of Afghanistan’s gross domestic product, but “no major drug traffickers have been arrested and convicted [by local authorities] in Afghanistan since 2006.”

The battle against the Taliban would have to extend to courtrooms in the United States. Launching ‘Plan Afghanistan’

The incoming Obama administration also publicly backed the “kingpin” strategy, as part of a counterinsurgency plan that focused on increased interdiction and rural development.

“Going after the big guys” was how Richard Holbrooke, Obama’s special representative for Afghanistan and Pakistan, described it to Congress.

That March, the DEA announced the most ambitious overseas deployment surge in its 40-year history — a six-fold increase of agents from 13 to 81.

Not everyone was an unflinching fan of the DEA’s approach. Many people in and out of the government feared that targeting those at the apex of the drug trade could backfire in a place like Afghanistan, where it often meant taking on tribal leaders with armies of fighters, tanks and even missiles at their disposal, recalled Kenneth Katzman, a senior analyst on Afghanistan issues for the Congressional Research Service, the independent research arm of Congress.

“These guys are powerful people,” Katzman told POLITICO. “Many have militias, and there are tribes, and subtribes, that depend on them for sustenance. You try to arrest someone like [that] and you are going to have a rebellion on your hands.”

But Haidari — then Afghanistan’s top national security diplomat in Washington — hailed the shift as being not only urgently needed but long overdue.

“A surge not only of military but law enforcement is exactly what we need,” said Haidari, who was then a senior official in the Karzai government. “It is something we have always demanded of the U.S. government.”

The DEA agents answering the call included a former Denver Broncos linebacker-turned-wiretapping expert and a former Marine with a Harvard Law degree. Several veteran commandos of the agency’s Latin American drug wars signed up too, including one storied agent who had built the case against the FARC.

“It was ‘Game on,’ ” Marsac said. “People wanted in on the fight. We were pulling them in from everywhere, and bringing them over in waves.”

After completing several months of special operations training, new agents hit the ground running, sweeping through fortified drug compounds as allied military forces provided cover fire. The agents seized and catalogued as evidence multi-ton caches of narcotics, as well as stockpiles of Taliban weapons found, increasingly, alongside them.

In November 2009, three DEA agents and seven American soldiers were killed when their helicopter crashed after a particularly intense drug raid in western Afghanistan. Obama and his attorney general, Eric Holder, traveled to Dover Air Force Base to receive their bodies.

For the tight-knit and fast-growing DEA team in country, the fight against the Taliban was, from that point on, an intensely personal one. So-called FAST teams — for foreign-deployed advisory support — brought Afghan drug agents to the front lines of the drug war, including Helmand Province, the epicenter of both the drug trade and the insurgency. U.S. and coalition military forces now embraced both the DEA agents and their Afghan trainees as full partners who were making significant inroads in attacking the increasingly intertwined drug-terror networks.

On June 22, 2011, Obama formally announced a September 2014 drawdown date for almost all U.S. troops and DEA agents. Marsac, the leader of all the DEA staff in the region, figured he had two years, at most, in which to marshal his agency's newfound horsepower in ways that would make a lasting difference and give the Afghans a fighting chance on their own.

There wasn't time to wrap up the myriad open investigations, even the multiyear ones targeting the kingpins. So Marsac proposed a legal Hail Mary of sorts: one giant U.S. conspiracy prosecution of the trafficking chieftains and the Taliban associates they financed.

In January 2012, he assembled a team to review the mountains of evidence in DEA vaults to see whether it supported such a prosecution.

The Justice Department had used such "wheel conspiracy" prosecutions for decades against international organized crime syndicates and drug cartels that had many tentacles. One especially potent advantage of such an approach was that evidence gathered against each defendant could be used to strengthen the overall conspiracy case against all of them.

The team concluded that the evidence didn't support a conspiracy case centering on the fractious and fragmented trafficking networks. But Marsac believed it might support something even more audacious, which DEA and Justice had never done before: a conspiracy case combining major drug traffickers and terrorist leaders.

The Taliban senior leadership would be the hub in the center of the wheel, and its various trafficking partners, money launderers and the Quetta Shura the spokes arrayed around it. The main charge: That the Taliban had engaged in a complex conspiracy to

advance the war effort through the production, processing and trafficking of drugs.

Marsac obtained approval from DEA's Special Operations Division, a multi-agency nerve center that coordinates complex international law enforcement efforts. His deputy later did the same with DEA's New York field office, which would be needed to help with support and logistics, such as safeguarding evidence and shepherding Afghan witnesses in country to testify before the grand jury hearing testimony in the case.

Marsac opened an official case file and, requiring a name, called it Operation Reciprocity. It would be DEA's way of settling the score against the Taliban, he told the team, for its complicity in the 9/11 attacks and the deaths of the DEA's own agents. A tapestry of criminality

By the end of 2012, the team members were struggling to make progress on building the conspiracy case, given their crush of daily caseload demands. So Marsac asked the Justice Department attache in Kabul for reinforcements.

Specifically, Marsac wanted John Seaman, his old partner from their early days in Denver, who had become one of the DEA's top experts in building conspiracy cases. After retiring in 2005 and doing some contract police work in Iraq, Seaman had spent the previous year on a Justice Department contract helping the Afghans identify sensitive anti-corruption and drug cases to pursue.

With time running out in Afghanistan, Marsac hoped Seaman could find a way to jump-start Operation Reciprocity. The Justice Department's attache in Kabul, David Schwendiman, himself a veteran prosecutor of international war crimes tribunals, quickly approved the request.

Marsac and Seaman believed the evidence for a Taliban-led conspiracy existed somewhere in the thousands of intercept recordings, cooperating witness statements, financial transaction records and everything else that DEA personnel had gathered, processed and filed away since first deploying in 2002. Seaman's particular talent was in finding the puzzle pieces and understanding how they fit together.

Seaman, who was then 60 years old and a cancer survivor, scoured the evidence with focused intensity. Marsac would often leave work around 10 p.m., he said, "and I'd come back in the morning and John would still be still there."

A few weeks later, Seaman quietly took Marsac aside and showed him a sheaf of papers summarizing evidence to build a prosecution against Taliban leaders and drug lords. "You've got it," he said. "It's there."

Marsac and Seaman set up a war room within the DEA's bunker near the Kabul airport, far from the U.S.

Embassy. They papered the walls with photos of suspects, maps, charts and to-do lists.

One by one, Seaman constructed "target memos" for 26 key conspirators, each memo featuring 30 or so pages of alleged crimes committed, witnesses and evidence, along with, most importantly, a list of investigative avenues to pursue. Seaman then wove all of it into the 240-page prosecution memo, an extraordinarily detailed tapestry of Afghanistan's narcotics trade and the Taliban's central — and financial — role in it from 1990 onward.

All the information in the memo was relayed to agents in the field, and to the legal advisers in Kabul. The team enlisted Ambassador Stephen McFarland, one of five State Department officials of ambassadorial rank in Afghanistan. McFarland's special role was to oversee DEA and other law-enforcement programs.

Schwendiman, the Justice attache, was encouraged. He sent for the FARC case files from Washington and determined that the Kabul investigators exceeded the standard of evidence used to indict and convict the Colombian guerrilla commanders in U.S. courts.

On his recommendation, the team sent the prosecution memo to the Justice Department's Terrorism and International Narcotics unit in the Southern District of New York, which was known for taking on, and winning, the most ambitious and complex conspiracy cases.

Three Operation Reciprocity agents flew to Manhattan to brief the prosecutors, who quickly greenlighted taking the case. They spent three hours strategizing and discussing the monumental challenges inherent in building such a case, securing final DOJ headquarters approval and taking it to trial. The logistical hurdles would be predictable — and surmountable — but the political ones would not.

All agreed, however, that with Afghanistan descending into chaos, they had to try, according to Michael Schaefer, the supervisory DEA agent leading the investigation, and a second meeting participant.

Bringing Mullah Omar and at least some of his top commanders to New York was unlikely, given the military's inability to kill them over the past decade, they figured. But handing up detail-rich indictments would have immediate, as well as long-term, benefits, they said.

Exposing the Taliban leadership's direct role in the narcotics trade would undermine its campaign to win political legitimacy internationally. Related sanctions would block its access to the global financial system. And international arrest warrants, Schaefer said, would

"fence in" the younger indictment targets enjoying jet-setter lifestyles outside Afghanistan.

The indictments also would empower authorities everywhere to attack the drug lords' transport and distribution networks, which snaked through dozens of countries, including the United States. And, the agents and prosecutors concluded, the case would serve as a model for prosecuting other narco-terrorist organizations, especially those operating in places where military force isn't an option, Schaefer recalls.

Fee, the newly appointed prosecutor, had won convictions against FARC commanders, Al Qaeda terrorists who blew up two U.S. embassies in Africa and other international defendants. He knew how to manage the intractable conflicts arising in such cases with U.S. diplomatic, intelligence and military officials. So the DEA agents were especially buoyed by Fee's assessment that the case was winnable.

"He told us the evidence was so strong," Schaefer said, "that I'm ready to put you guys in front of a grand jury right now."

Back in Kabul, DEA chief Marsac shared the news with McFarland, the State Department's law enforcement coordinator. The 35-year veteran diplomat had been a forceful advocate for the DEA in Afghanistan, especially when Kaidanow opposed enforcement efforts she believed would upset influential Afghan constituencies, McFarland told POLITICO. Given that history, he said, he concluded that he had to tell her the news immediately, and that she wasn't going to like it.

"I knew I would be walking into the middle of a shit storm," he said. "I just had no idea how big it would be." Throwing a wrench into things

Kaidanow was, indeed, enraged during the meeting in her office, and accused the three men she had summoned there of insubordination, they said. What's more, she told them, they had undermined the Obama agenda in Afghanistan by proposing the plan and getting Justice Department buy-in without her knowledge or approval, Marsac and McFarland said. "She said you're throwing a wrench into things," Marsac said, "but in a lot stronger language than that."

Schwendiman declined comment for this article but gave a similar account in two confidential internal Justice Department memoranda obtained by POLITICO.

Kaidanow also threatened to "curtail" the three officials, the State Department term for firing them from their embassy positions and sending them home, the men said. But first, she gave Marsac three minutes to explain why she shouldn't shut down the operation immediately. He ticked off the reasons, including that any indictments were months away. They could be kept

secret, or leveraged strategically to help, not hinder, U.S. negotiators during peace talks.

The way Marsac saw it, the case would show that the U.S. was committed to the rule of law, by prosecuting narco-terrorists as criminals rather than killing them with military force. Also, U.S. intelligence showed that Taliban drug lords were so against peace talks that they were threatening, and killing, associates who even considered them. With the drawdown imminent, he believed, Taliban shot-callers were just feigning interest in negotiations to burnish their political credentials and run out the clock.

Before Marsac could finish, he said, Kaidanow cut him off, ordering him to stand down the operation and retrieve all documentation about it from the Justice Department.

The DEA and Justice officials didn't know it at the time, but they were proposing to indict top Taliban leaders at the exact moment the administration was secretly finalizing the launch of peace talks with the organization, set for Qatar the next month.

Secretary of State John Kerry was arriving even sooner to soothe President Karzai, who was furious that the White House had excluded his government from the talks, POLITICO has learned. And clandestine negotiations were well underway already with the Taliban to get back Bergdahl, the Army sergeant who had deserted his post four years earlier, several current and former U.S. officials confirmed.

The way Kaidanow saw it, the problem wasn't just one of spectacularly bad timing. Pitching the plan to Justice was part of a pattern in which the DEA team — and its supporters at the embassy — had defied her "chief of mission authority," or her role as coordinator of all U.S. agencies in the country in order to accomplish the administration agenda.

"We were trying very hard to keep Afghanistan on a course, and there was no single way to address the Taliban problem," Kaidanow said, adding that her interest in putting the brakes on any DEA efforts in country would have been driven by concerns that "everything they did was well vetted and coordinated" with other U.S. efforts.

Kaidanow declined to comment on the three men's accounts of the meeting, but denied threatening to dismiss anyone. But, she said, "In my career I have had to make many tough decisions that have not pleased everyone, but, as deputy chief of mission, I was responsible for implementing the policy set by the administration, and I stand by those decisions."

In interviews, the DEA and Justice officials countered that while Kaidanow did coordinate the overall U.S. mission in Afghanistan, they also were deployed

there to represent the best interests of their home agencies internationally.

As such, they reported, ultimately, to top DEA and Justice officials in Washington, who would decide whether to approve any Taliban indictments in consultation with others in the interagency process. Often, they said, they weren't allowed to discuss such investigations with embassy leadership due to concerns about well-connected targets being tipped off.

After the meeting with Kaidanow, Marsac went straight to his office and drafted a formal appeal. Instead of sending it, though, he and Schwendiman opted to lay low and launch their appeal after Kaidanow returned to Washington in the fall. Schwendiman enlisted McFarland in the plan, saying in a July 3 letter that they should lay the groundwork "as soon as we can."

"But there is no reason to think coming back to it in six months when cooler heads prevail will damage [its] prospects," Schwendiman wrote.

Waiting, however, turned out to be a fatal mistake.

Nine days after Schwendiman's letter, McFarland was sent back to Washington. In an effort to keep his job, McFarland had formally apologized to Kaidanow, assured her that the case files had been retrieved from Justice, and said he had much to contribute during what would certainly be a difficult handover of law enforcement affairs.

"I said a procedural mistake was made here, we corrected it and no harm was done," McFarland told POLITICO.

Kaidanow denied forcing him out, but he maintained that she played a role in doing so. McFarland said her response was "totally disproportionate" and served to torpedo his chances of securing another ambassadorship. He left the State Department not long after returning to Washington.

But McFarland has no regrets about supporting the Taliban indictment plan, which he said was totally in line with what the DEA was supposed to be doing in Afghanistan.

"If you're out there killing Americans," he said, "it's fair for us to go after you, not just with guns but to go after your [drug] money too." Leaving the Afghans blind

The Operation Reciprocity team unraveled quickly after that.

Marsac himself left in August, citing a long-overdue transfer to DEA headquarters to be closer to his wife and daughter. He too took early retirement soon after that.

Also in August, Schwendiman wrote a secret memorandum warning a senior Justice official in Washington that Kaidanow had iced Operation Reciprocity and ousted McFarland as part of a broader campaign to immediately shut down all U.S. law

enforcement operations in Afghanistan — especially the DEA's — even though the drawdown was more than a year away.

Without McFarland to protect those operations, Kaidanow was going so far as to block DEA agents from investigating cases with their Afghan counterparts, the Justice attache wrote in the Aug. 22, 2013, "For Your Eyes Only" memo. And she was eliminating so many DEA positions in country, Schwendiman wrote, that it would be "problematic if not impossible" for Afghanistan to maintain the intelligence-gathering programs that formed the backbone of its entire counternarcotics and anti-corruption effort.

That would undermine U.S. security interests in Afghanistan, wrote Schwendiman. "The Afghans, of course, will be left blind if this happens," he added.

In December, Schwendiman retired from the Justice Department and soon took a top job in Kabul for SIGAR, the independent U.S. watchdog agency known formally as the Special Inspector General for Afghanistan Reconstruction. Seaman also cut short his Justice Department contract, and returned stateside.

Schaefer had some success in obtaining embassy buy-in after Kaidanow left. But by early 2014, some influential new DEA management officials were not supportive, saying the evidence for such a wide-ranging conspiracy wasn't there, that they lacked the bandwidth to develop it or that they favored some individual prosecutions also underway in New York, according to Schaefer and other current and former DEA and Justice Department officials. In interviews, some said their agencies were reluctant to lock horns with the White House as the drawdown loomed. Others cited internal DEA turf battles, and changing agency priorities, including a major refocus on domestic cases.

"We just never got our legs back under us to make a go of it again," said Schaefer, who soon retired too, and joined Schwendiman at SIGAR.

Ultimately, the Taliban peace talks went nowhere. Bergdahl was freed a year and four days after Kaidanow's stand-down order. But in return, Taliban leaders got back the same five senior commanders held at Guantanamo Bay they had demanded at the outset of the talks.

"Since the White House ultimately gave the Taliban everything they wanted," one DEA official asked, "what's their excuse for not letting us build a case against them all that time?"

By the end of 2014, the DEA was down to fewer than a dozen personnel in Afghanistan, rendering obsolete much of a decade's worth of investigative casework. And as Schwendiman warned, the slashing of DEA support crippled the Kabul government's ability to

counter the narcotics cartels on its own, the DEA officials said.

The impact was immediate. In 2015, State Department statistics show, the Taliban — cash rich from record drug profits — surpassed the Islamic State as the deadliest terrorist group worldwide, both in the number of attacks and fatalities. The year before, ISIS was, by far, the leader.

Frustrated by the deteriorating situation, Seaman self-published a 104-page manuscript in 2016 detailing 14 years of unfinished DEA counternarcotics investigations in Afghanistan, accusing the Obama administration of placing short-term political points over long-term security interests. He did not go into the circumstances surrounding the shutdown of Operation Reciprocity but was particularly critical of the Obama team's decision "to seek peace talks with the Taliban in lieu of pursuing them in U.S. courts, when in fact both could have been accomplished simultaneously."

Past administrations, in contrast, had the political will to indict the FARC leadership, he wrote, "exposing their criminality to the world while the Colombian government was involved in peace talks with the FARC" that, years later, ultimately proved successful.

None of the DEA and Justice Department officials said their decision to leave Afghanistan, or to retire, was influenced by the abrupt shutdown of Operation Reciprocity. But every one of them told POLITICO that they believe their colleagues called it quits because of their inability to work on the conspiracy case they had spent years building.

"We had a lot of successes in spite of the obstacles," Schaefer said, "but our biggest shot at success was stolen from us." From operations to advice

Over the past five years, the existence of Operation Reciprocity — and its demise — have remained known only to a relative handful of agents and diplomats.

Several current and former U.S. officials said that while they were not familiar with it, the case is emblematic of a far more fundamental conflict at play in Afghanistan — and Iraq — as Washington struggles to contain the hybrid threats that emerged in the post-9/11 world.

On one side are U.S. law enforcement officials tasked with investigating drug trafficking, organized crime and corruption at the highest levels in those countries. On the other: Diplomats responsible for seeking accommodation with many of those under suspicion, in order to maintain stability, and a working government.

In Afghanistan, many U.S. officials — and numerous coalition allies — supported the DEA's

targeting of Taliban leadership on drug trafficking charges “as a much more strategic and fruitful way forward” than either military force or negotiations, said Candace Rondeaux, a strategic U.S. adviser for SIGAR at the time.

But some U.S. diplomats — like Kaidanow — believed spotlighting Taliban leaders’ drug trafficking activities would create too many barriers to an eventual armistice, Rondeaux said. Meanwhile, some Pentagon and CIA officials still protected certain drug lords, citing their purported value as intelligence assets and strategic allies.

Such conflicts are to be expected, Rondeaux said. But the Obama administration compounded the problem significantly by not stepping in and protecting its \$8 billion-plus counternarcotics investment, despite its 2009 vow to go after “the big guys” atop the drug trade.

“This was a problem, fundamentally, of leadership in the White House and a lack of structure within [it] to direct dollars and identify priorities,” said Rondeaux, who is now a senior fellow at the nonpartisan think tank New America’s Center on the Future of War.

One senior Obama-era Pentagon counternarcotics official told POLITICO that high-level administration officials, at the National Security Council and elsewhere, did, in fact, undermine the plan to indict Taliban leaders. “The NSC was aware of it, [and] it ran headlong into the issue of engagement” with the Taliban, he said.

Operation Reciprocity, like some Hezbollah cases before it, died from a lack of political support, the official said, rather than an organized conspiracy to shut it down. Even so, the result was the same. “You can kill things by not moving it,” he said. “If DEA is waiting for approval and someone says no, you have to pause, that’s pretty much it.”

In interviews, Obama administration officials, including Kaidanow, denied that political tradeoffs undermined Operation Reciprocity or the broader DEA effort in Afghanistan. The White House always favored an “all-tools approach, using law enforcement, diplomacy, sanctions, military, capacity building” in Afghanistan, one senior White House official said.

“You can argue that one could have been used more,” the former official said, about the plan for indictments. “But I never got the impression that that [all-tools] approach deviated due to the Taliban discussions” about peace talks.

Kaidanow said all decisions on how, and when, to downsize DEA operations in Afghanistan were based on the administration’s overall withdrawal plan, which included transitioning DEA to an advisory role. She also said DEA agents wouldn’t be able to operate throughout

the country once military protection and transport were gone.

Since the 2014 drawdown, the dozen or so DEA personnel in Afghanistan have, indeed, remained almost entirely “inside the wire,” or within the fortified U.S. Embassy compound, one drug agency official said.

“We’re not doing operations there,” just advising Kabul authorities, the official said.

Two senior DEA officials acknowledged that shutting down Operation Reciprocity and withdrawing most agents significantly undermined the overall counternarcotics effort in Afghanistan, but said DEA never stopped focusing intensively on top Taliban drug kingpins and their global operations.

“I don’t like the fact that the State Department did that, but I knew that we would continue to move forward” by working with government counterparts and its own informants in Afghanistan and other affected countries, one of the senior DEA officials said. “That was all happening as we were in an advisory role,” and led to significant arrests and convictions, including two Afghan traffickers in Thailand in 2015 and a Pakistani drug kingpin in Liberia in 2016.

Recently, top Trump administration officials have made several trips to Afghanistan to discuss more troop deployments and peace talks. They included Lisa Curtis, the deputy assistant to the president and senior director for South and Central Asia on the National Security Council.

Back in 2013, several months after Operation Reciprocity was halted, Curtis — a former senior Afghanistan hand at the State Department and CIA — wrote a Heritage Foundation policy paper imploring the Obama administration to commit to a long-term counternarcotics effort in Afghanistan as it handed over security operations.

“Although the fate of Afghanistan rests with its own people,” she wrote, “without leadership and assistance from the U.S., it will devolve into a narco-terrorist state that poses a threat to regional stability and to the security of the broader international community.”

But Curtis, who declined interview requests, and other Trump officials have said little publicly, if anything, about whether the DEA and Justice Department figure into their plans to stop the Taliban and drug lords from seizing control of Afghanistan.

“The U.S. strategy is taking into account the counternarcotics challenge, and the U.S. is considering how to address the issue,” an NSC spokesperson said in response to questions from POLITICO. “Our strategy of confronting the Taliban militarily not only will bring them to the negotiating table but will set the conditions necessary for further counternarcotics effort.”

Haidari, the senior Afghan official who helped lead those talks, said his government is wary of a third consecutive U.S. administration promising a military-only solution to its problems.

"We felt betrayed," he said, by Obama officials "who saw no reason to expand counternarcotics, and to go after these kingpins and their accomplices."

The DEA and Justice Department, he said, "should have continued to build upon what they had achieved based on the surge," especially training programs designed to help Afghans take on the drug networks on their own.

Marsac, the former DEA chief, said it would take years to rebuild that capacity in Afghanistan. But a small team of U.S. and Afghan drug agents could make an immediate dent in the insurgency, he said, by using the Operation Reciprocity case files to attack a Taliban-drug nexus that has changed surprisingly little since the project was, essentially, flash-frozen back in 2013.

"They asked us to do a job, and we went out and did it," Marsac said. "It needs to be completed."

Agence France-Presse chief photographer Shah Marai, whose images illustrate this story, was killed April 30, 2018, in a suicide bombing in Kabul. He was 41. He is pictured at left with his family in 2016.

Trump Says Harassment Of US Ships By Iran Has Ended

By Mark Moore

[New York Post](#), July 8, 2018

President Trump on Sunday noted that harassment of United States warships by the Iranian navy in the Persian Gulf has stopped in the second year of his administration.

He tweeted US Navy statistics on the dangerous encounters — which included 22 events in 2015, 36 in 2016, 14 in 2017 and zero in 2018.

The first two years were during President Obama's administration.

The last event happened in August 2017 when an Iranian drone flew close to a F/A-18 Super Hornet that was attempting to land on the aircraft carrier USS Nimitz, forcing the jetfighter to take evasive action, the Navy said.

But that respite might be short-lived as Iran has threatened to block the strategic Strait of Hormuz, the passage between the Persian Gulf and the Gulf of Oman, in an effort to disrupt international crude oil supplies.

The threat came after the Trump administration last week warned countries to end imports of Iranian oil by Nov. 4 as part of its tougher campaign against the

Islamic Republic after withdrawing from the 2015 nuclear deal.

Iranian President Hassan Rouhani called the threats an exaggeration and said the US is unfairly singling out his country for punishment.

"It really is an unfounded and unfair thing to suggest that one day all oil-producing countries will be able to export oil, while Iran won't be able to do so," Rouhani said, according to Fox News.

The reaction from Esmail Kowsari, a commander in the country's elite Revolutionary Guard, carried a more militant tone.

"Any hostile attempt by the U.S. will be followed by an exorbitant cost for them," Kowsari said, Bloomberg reported. "If Iran's oil exports are to be prevented, we will not give permission for oil to be exported to the world through the Strait of Hormuz."

Trump got assurances from Saudi Arabia that it would increase oil production to make up for any losses in the international market caused by Iran.

The Strait of Hormuz provides Middle East countries the only sea route from the Persian Gulf to the open ocean for their oil exports and about 35 percent of the world's sea-borne oil passes through the waterway each day.

More Major Multinationals Cease Business With Iran Over Reimposed U.S. Sanctions

By Dan Boylan

[Washington Times](#), July 8, 2018

Dutch airline KLM and cargo shipping leader CMA CGM have joined the growing list of major multinational companies ending their business with Iran because of reimposed U.S. sanctions.

Since early May — when President Trump withdrew the U.S. from the Obama-era nuclear agreement with Iran — shipping firm A.P. Moller-Maersk of Denmark, French carmaker PSA Group and French oil major Total have also suspended multibillion-dollar projects.

CMA CGM — the world's third largest container shipping fleet, according to the United Nations — announced on Saturday it would stop its work in Iran for fear that new sanctions could disrupt its U.S. business.

"Due to the Trump administration, we have decided to end our service for Iran," CMA CGM chief Rodolphe Saade said during an economic conference in southern France.

Meanwhile, KLM, which resumed service to Iran after the nuclear deal was signed in 2015, said all flights to Tehran will soon be suspended. It also cited pressure from the hardening U.S. stance.

"As a result of the negative results and financial outlook for the Tehran operation," the firm said in a statement on Saturday, "the last flight will take off from Amsterdam on 22 September 2018 and land at Schiphol [Amsterdam airport] on 23 September."

On Saturday, Total's CEO Patrick Pouyanne addressed the issue.

"If we continued to work in Iran, Total would not be able to access the U.S. financial world," he told RTL radio. "Our duty is to protect the company. So we have to leave Iran."

Last week Iranian President Hassan Rouhani visited Europe in a bid to preserve the nuclear deal, which suspended Tehran's nuclear activities in exchange for sanctions relief.

The five remaining signatory nations — Britain, France, Germany, China and Russia — all say they want it to continue, but some appear unable to stop their companies from pulling out of Iran.

On Friday, foreign ministers from the five countries offered Tehran a package of economic measures designed to compensate for the bite that the reimposed Trump sanctions have begun to have. Before the package was unveiled, Mr. Rouhani told French President Emmanuel Macron during a phone call that it fell short of Tehran's demands.

On Saturday, according to the state news agency IRNA, he reiterated that the bail-out effort did not go far enough.

"European countries have the political will to maintain economic ties with Iran based on the JCPOA [the nuclear deal], but they need to take practical measures," he was quoted as saying by state news agency IRNA.

Israel Presented U.S. With "Red Lines" For Saudi Nuclear Deal

By Barak Ravid

[Axios](#), July 8, 2018

Israel has presented the Trump administration with its "red lines" for the nuclear deal the United States is currently negotiating with Saudi Arabia to build reactors in the kingdom.

The big picture: A senior Israeli official told me the Israeli government realized it will not be able to stop the deal — set to be worth billions of dollars for the U.S. — and decided instead to attempt to reach an understanding with the Trump administration regarding the parameters of the deal.

Last March, Israeli Prime Minister Benjamin Netanyahu raised concerns about the deal during a meeting with President Trump and other senior U.S.

officials. Netanyahu was concerned such a deal, especially if it also includes a "right" to enrich uranium, will lead to further nuclear proliferation in the Middle East. Trump and his advisers told Netanyahu that, if the U.S. does not sell the Saudis nuclear reactors, other countries like Russia or France will.

The senior Israeli official told me Netanyahu sent Yuval Steinitz, his energy minister in charge of Israel's atomic energy committee, to Washington two weeks ago to meet with Energy Secretary Rick Perry, who is leading the negotiations with the Saudis over the nuclear deal.

What we're hearing: Steinitz presented Perry and other senior U.S. officials with this set of parameters:

Israel asked the U.S. for a "no surprises policy" regarding the negotiations with the Saudis to ensure maximum transparency.

Israel asked to know in advance what nuclear equipment the U.S. would sell the Saudis and asked to be consulted about the planned location of the nuclear reactors the U.S. would build in Saudi Arabia. The senior Israeli official told me the main reason for that demand is nuclear safety.

Israel demanded that the deal will not give Saudi Arabia the capability or the legitimacy to enrich uranium on its soil. The Saudis want to get American permission to enrich uranium as part of the deal.

Israel demanded that the U.S. will be the only nation to supply the Saudis with the nuclear fuel for its reactors.

Israel demanded that the U.S. must remove all used nuclear fuel from Saudi Arabia so that the Saudis will not be able to reprocess it.

What's next: Perry told Steinitz the U.S. will take the Israeli concerns into consideration and will continue to provide updates regarding the negotiations with the Saudis, per the senior Israeli official. The talks are set to continue during Perry's planned October visit to Israel.

Israeli Lawmakers Visit Contested Jerusalem Holy Site

[Associated Press](#), July 8, 2018

JERUSALEM (AP) — Two Israeli lawmakers have visited a flashpoint Jerusalem shrine after Prime Minister Benjamin Netanyahu reportedly lifted a ban on Israeli parliamentarians entering the site.

Agriculture Minister Uri Ariel and Likud party member Sharren Haskel visited the hilltop compound, known to Jews as the Temple Mount and to Muslims as the Noble Sanctuary, on Sunday.

The compound is considered the holiest site for Jews, the site of the two biblical Temples, and today is

home to Al Aqsa Mosque, Islam's third holiest site. It is the emotional epicenter of the Israeli-Palestinian conflict.

Netanyahu had instituted a ban on Israeli lawmakers visiting the site in November 2015 as a measure to ease tensions with the Palestinians.

Netanyahu's office had no comment about the lawmakers' visits.

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Trump NATO Pressure Paying Dividends In Europe, US Envoy Says

By Naomi Nix And Anthony Capaccio

[Bloomberg News](#), July 8, 2018

President Donald Trump's pressure campaign on North Atlantic Treaty Organization allies to boost spending for their own defense is paying off, U.S. NATO Ambassador Kay Bailey Hutchison said.

Separately, the U.S. envoy said she's concerned that Russia is trying to "flip" Turkey and other American allies to its column.

"NATO really is making progress, and they are doing it really at President Trump's insistence," Hutchison said on "Fox News Sunday." "It's very clear, and he's been very direct about the Europeans needing to do more for their own security."

Hutchison, a former Republican senator from Texas, took up her NATO role in August. She spoke ahead of a potentially testy summit of North Atlantic Treaty Organization nations to be held in Brussels July 11-12.

The U.S. has been seeking an increased commitment by alliance members to increase defense spending. In the past few weeks, Trump has sent sharply worded letters to the leaders of several European countries, including Germany, Italy and Norway, as well as to Canada, warning that the U.S. was losing patience.

"It will become increasingly difficult to justify to American citizens why some countries continue to fail to meet our shared collective security commitments," Trump said in a letter addressed to Norwegian Prime Minister Erna Solberg seen by Bloomberg News.

In 2014, NATO members pledged to spend at least two percent of economic output on defense by 2024. Estimated 2017 defense spending as a percentage of GDP was 1.2 percent in Germany, Europe's biggest economy. Only five NATO members – the U.K., Estonia, Poland and Greece, as well as the U.S. – were forecast to have met the two percent target in 2017.

Some diplomats fear the president will threaten to pull troops out of Europe without more spending on

defense, despite U.S. denials. Separately, doubts about Trump's commitment to European security has pushed EU leaders to boost defense cooperation.

Although Hutchison said threats by Trump to impose tariffs on European cars haven't come up in the context of NATO, the president has accused European members of the military alliance of denying U.S. companies fair trade access.

'Change is Coming!'

"We protect Europe (which is good) at great financial loss, and then get unfairly clobbered on Trade. Change is Coming!" Trump said on Twitter in June in posts that specifically called out Germany. "The U.S. pays close to the entire cost of NATO-protecting many of these same countries that rip us off on Trade (they pay only a fraction of the cost – and laugh!)"

Germany's defense minister last week rebuffed Trump's twinning of trade and European defense spending ahead of the NATO summit. It was "immature" to link the two topics, Ursula von der Leyen said.

A country's defense contribution shouldn't be measured only as a percentage of GDP, but also in terms of troops and hardware, she said in an interview with Bloomberg Television in Berlin. Still, Chancellor Angela Merkel, in a weekly podcast on Saturday, said Germany would increase defense spending in its 2019 budget, suggesting Trump's jawboning is paying off.

From the two-day NATO meeting in Brussels, Trump heads to the U.K. and then to a one-on-one meeting with Russian President Vladimir Putin in Helsinki on July 16.

On Russia, Hutchison said there are signs Moscow is trying to court NATO member Turkey, where President Recep Tayyip Erdogan was re-elected in June and is moving to further consolidate power – including an ongoing purge of thousands of people from government jobs.

"I do think Russia is trying to flip Turkey; they're trying to flip many of our allies," Hutchison said. "They want to destabilize the strongest defense alliance in the history of the world, and that's NATO."

NATO Members "Making Progress" On Increasing Defense Spending, Ambassador Says

By Bradford Richardson

[Washington Times](#), July 8, 2018

U.S. Ambassador to NATO Kay Bailey Hutchison says member states are "making progress" to increase defense spending at the urging of President Trump.

"NATO really is making progress, and they are doing it really at President Trump's insistence," Ms.

Hutchison said on "Fox News Sunday." "And I think it is very clear, and he's been very direct, about the Europeans needing to do more for their own security."

In a rally on Thursday, Mr. Trump said Americans have been "schmucks" to contribute such a disproportionate amount of NATO's funding.

"We're paying anywhere from 70 to 90 percent to protect Europe," the president said. "And that's fine. Of course, they kill us on trade. They kill us on other things."

"Germany, which is the biggest country of the E.U., European Union, Germany pays 1 percent," he continued. "One percent. And I said, you know, [Chancellor] Angela [Merkel], I can't guarantee it, but we're protecting you, and it means a lot more to you than protecting us because I don't know how much protection we get by protecting you."

Ms. Hutchison said there are signs that other member nations are heeding the president's call.

"Now, I think, for the first time, we are really seeing the Europeans actually start going in the right direction," she said. "Every ally is now increasing defense spending. We've had the largest increase in defense spending since the Cold War. And in the year and a half that President Trump has been in office, it has doubled since 2014. I think he is making an impact, and I think that the Europeans, including Chancellor Merkel just recently, who has said we are going to do more, we need to do more, it's the right thing to do."

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America's NATO Allies Are Stepping Up

Only three members spent 2% or more of GDP on defense in 2014. This year we expect eight will.

By Jens Stoltenberg

[Wall Street Journal](#), July 8, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Off To Europe: Trump To Meet Worried NATO Heads, Then Putin

By Jill Colvin And Jonathan Lemire

[Associated Press](#), July 8, 2018

WASHINGTON (AP) — With the established global order on shaky footing, President Donald Trump's weeklong trip to Europe will test already strained bonds with some of the United States' closest allies, then put him face to face with the leader of the country whose electoral interference was meant to help put him in office.

Trump departs Tuesday on a four-nation tour amid simmering disputes over trade and military spending with fellow Western democracies and speculation about whether he will rebuke or embrace Russian President

Vladimir Putin. He meets the Russian leader in Helsinki as the finale of a trip with earlier stops in Belgium, England and Scotland.

Trump has shown little regard for America's traditional bonds with the Old World, publicly upbraiding world leaders at NATO's new headquarters a year ago for not spending enough on defense and delivering searing indictments of Western trading partners last month at an international summit in Canada. On this trip, after meeting with NATO leaders in Brussels, he'll travel to the United Kingdom, where widespread protests are expected, before he heads to one of his Scottish golf resorts for the weekend.

In the run-up to his trip, the president did little to ease European concerns by delivering fresh broadsides against NATO, an intergovernmental military alliance of 29 North American and European countries aimed at countering possible Russian aggression.

"I'll tell NATO: 'You've got to start paying your bills,'" Trump pledged at a rally last week in Montana in which he bemoaned that Americans were "the schmucks that are paying for the whole thing."

He then laced into German Chancellor Angela Merkel, who will be in attendance in Brussels, complaining about how much the United States put toward Germany's defense: "And I said, you know, Angela, I can't guarantee it, but we're protecting you, and it means a lot more to you. ... I don't know how much protection we get from protecting you."

At the same time, he declared that "Putin is fine" and that he had been preparing for their summit "all my life."

Experts fear the trip could produce a repeat of the dynamics from Trump's last trip abroad, when he admonished Group of Seven allied nations at a summit in Canada before heading to Singapore, where he showered praise on one of America's longest-standing adversaries, North Korea's Kim Jong Un.

"What people are worried about this trip is he'll have equally difficult interactions with his NATO counterparts," including Merkel and Canadian Prime Minister Justin Trudeau, said James Goldgeier, a visiting senior fellow at the Council on Foreign Relations and professor at American University, who is an expert in NATO and security alliances.

"The main concern is he will spend much of the time berating them on not spending enough on defense" before having "a love fest with Putin, like he did with Chairman Kim," Goldgeier said. He added that if Trump is warmer toward Putin than the leaders of the military alliance that was founded to protect Europe from Soviet threats, it would go "a long way to undermining NATO,

undermining the trans-Atlantic relationship, undermining our relationship with our allies."

Trump is expected to continue to press NATO nations to fulfill their commitments to spend 2 percent of their gross domestic product on defense by 2024. Trump has argued that countries not paying their fair share are freeloading off the U.S. and has threatened to stop protecting those he feels pay too little.

NATO estimates that 15 members, or just over half, will meet the benchmark by 2024 based on current trends. Trump sent letters to the leaders of several NATO countries ahead of his visit, warning that it would become "increasingly difficult to justify to American citizens why some countries fail to meet our shared collective security commitments."

The ties between the U.S. and many of its longest-standing allies have frayed since Trump took office and put his "America first" agenda into practice. He has pulled the U.S. out of the Paris climate agreement as well as the Iran nuclear deal, slapped tariffs on steel and aluminum imports, and threatened additional tariffs on products like automobiles.

Although administration officials point to the long-standing alliance between the United States and the United Kingdom, Trump's itinerary will largely keep him out of central London, where significant protests are expected. Instead, a series of events — a black-tie dinner with business leaders, a meeting with Prime Minister Theresa May and an audience with Queen Elizabeth II — will happen outside the bustling city, where Mayor Sadiq Khan has been in a verbal battle with Trump.

Woody Johnson, Trump's ambassador to the U.K., said the president is aware of the planned protests but insisted that Trump "appreciates free speech" in both countries.

The G-7 world leaders' meeting in Canada last month ended in tumult when Trump suddenly retracted his endorsement of the group's final joint statement after his departure and railed against Trudeau by midflight tweet en route to Singapore for his summit with Kim, a meeting that critics said legitimized Kim on the world stage without securing a clear pathway to the denuclearization.

"The president was willing to offer concessions to Kim without getting anything specific or concrete in return," said Jeffrey Rathke, deputy director of the Europe Program at the nonpartisan Center for Strategic and International Studies.

He said the decision had sparked "kind of a frenzy" about what concessions Trump might be willing to offer Putin without NATO signoff.

On Putin's wish list: an end to U.S. military exercises in Europe and the scaling back of U.S. forces there. The summit also will offer Putin a chance to try to persuade Trump to lift some of the sanctions imposed on Russia over its 2014 annexation of Crimea, its support for separatists fighting the government in eastern Ukraine and its alleged meddling in the 2016 U.S. presidential election.

Trump has already met with Putin twice as president, including a meeting on the sidelines of a summit in Germany that stretched for more than two hours. But plans for a full-fledged summit had been delayed amid the FBI and congressional probes into whether Trump campaign aides coordinated with Russia to help Trump win the election. Trump has dismissed those probes as nothing but a "witch hunt."

Saying that he wants to improve relations with Moscow, Trump has repeatedly cast doubt on conclusions by the nation's intelligence agencies that Russia tried to help him win the 2016 election, noting that Putin has "strongly" denied being behind the interference. U.S. officials said the two sides this time would be discussing Russian election meddling, Russia's incursions in the Ukraine and involvement in Syria.

Follow Colvin and Lemire on Twitter at <https://twitter.com/colvinj> and <https://twitter.com/JonLemire>

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Ahead Of NATO Summit, Allies Wonder: Will NATO Survive Trump?

By Michael Birnbaum
[Washington Post](https://www.washingtonpost.com), July 8, 2018

NATO leaders once feared President Trump wasn't invoking the right words to convince Russia that the United States was still serious about defending Europe.

Now they're worried about something bigger: a full crackup of the alliance, or at least such a weakening of Washington's security commitments that NATO would emerge deeply damaged.

The heartburn comes ahead of a possible two-headed diplomatic assault from Trump this week. First, he jets to a summit of NATO leaders, where he is expected to continue to complain that Europeans are slacking on defense spending. Days later, he'll sit down with Russian President Vladimir Putin for their first one-on-one summit. European leaders worry that Trump

could bargain away their security in the name of better relations with the Kremlin. .

European Council President Donald Tusk warned European leaders last month that judging by Trump's language, allies could no longer assume that NATO would endure. NATO diplomats are making dark jokes about whether Trump and Putin could unveil a globe-shifting alliance of the sort that helped lead to World War I. Others are considering the legal architecture for a NATO in which the United States is no longer the preeminent player.

"The biggest of the allies doesn't just have a disagreement with us, but he actually seems willing to walk away," said Tomas Valasek, a former Slovak ambassador to NATO who runs Carnegie Europe, a Brussels think tank. "Deterrence has already been broken."

Such sentiments are based on Trump's words and actions in recent weeks, as he has more fully embraced his own plate-breaking instincts on foreign policy after a first year of being held back by more conventional aides. Few believe that Trump would actually withdraw from NATO — at minimum, they think he would be restrained by Republican partners in Congress. But they worry about moves that could initiate an unraveling.

Europeans fear a repeat of last month's Group of Seven summit in Canada, when Trump fought with leaders of Washington's closest allies, then withheld his signature from the bromide-filled declaration that comes out of such meetings as a matter of course.

Only this time, there could be immediate security implications.

"It's one thing if he goes to the G-7 and is rude to people," a senior NATO diplomat said. "It's another thing to derail NATO." The diplomat, like some of the other officials and policymakers quoted in this article, spoke on the condition of anonymity to explain sensitive diplomatic thinking.

Europeans are "scared" that Trump could trigger a crisis, said another senior European official, adding an off-color word for emphasis.

Trump has already said he is looking for a fight.

"I'm going to tell NATO — you got to start paying your bills. The United States is not going to take care of everything," Trump told a rowdy rally in Montana last week. "We are the schmucks that are paying for the whole thing."

Last month he sent letters to leaders whose countries are not living up to their NATO defense spending pledges, warning that the United States might cut them off if they don't pour more money into their militaries. And he has questioned why the United States should run a trade deficit with nations it is spending

money to protect, suggesting he could use security guarantees as a bargaining chip in trade talks.

Europeans say the angry rhetoric is already damaging alliance security, since part of deterring Russia and other potential adversaries requires leaving no doubt that if a single member is attacked, every country will come to its aid.

But leaders and diplomats worry that Trump could soon go further to undermine the alliance. They are concerned he could halt U.S. participation in military exercises in eastern Europe to avoid "provoking" Russia, since he made a similar concession about joint exercises with South Korea after his meeting with Kim Jong Un. They fret he could draw down the U.S. military presence in Europe, a move that could poke holes in the U.S. security umbrella that reaches up to Russia's border.

Their nightmare is that Trump could embrace Putin at their summit by recognizing Russia's annexation of Crimea, emboldening nations around the world to redraw borders by force.

"It's such a fundamental issue," said a senior NATO diplomat. "It would legitimize a whole range of actions. If you have the power, the raw conventional military power, you can do what you want."

"Now I'm depressed," the diplomat added. "The fact that we're even thinking about it."

The U.S. diplomats negotiating the substance of the agreements ahead of the summit say they have received no instructions that would depart from decades of U.S. foreign policy. On paper, at least, Trump is set to condemn Russian behavior in Ukraine, endorse collective defense and sign off on a range of new plans that would expand U.S. military activity in Europe, not diminish it.

"This is a very substantive and meaty summit," the U.S. ambassador to NATO, Kay Bailey Hutchison, told reporters last week. "NATO is doing many of the things that the president has asked them to."

But Trump himself appears to want to take a different direction. At last month's G-7 summit, he suggested that the 2014 annexation was legitimate because most residents of the Crimean Peninsula were Russian-speaking. Leaders pushed back hard but did not feel as though they made headway, according to a person who was in the room at the time.

Recognition of Crimea would undermine the basis of Western action against the Kremlin since 2014, including sanctions and the strengthening of NATO along the Russian border. It would violate U.S. commitments to Ukraine, since Kiev received guarantees in 1994 that Washington would protect its territorial integrity in exchange for Ukraine's giving up Soviet-era nuclear stockpiles.

And it would be a moral blow to NATO.

Concerns about Trump and the reliability of the U.S. security umbrella have spurred a series of discussions among European leaders about how to respond. The European Union has bolstered its own security cooperation, creating an embryonic fallback if NATO fails, for instance. And even if Trump holds back his signature from the NATO summit's final declaration — an unprecedented move for a U.S. leader — diplomats who have pondered the possibility believe many of its most important initiatives would roll forward anyway, since they were already approved by defense ministers in recent months.

Despite the fears about NATO's future, most countries are still spending far too little on defense to be self-sufficient if they were stripped of U.S. protection. The biggest culprit is Germany, Europe's richest nation and Trump's favorite target for anger. Although Chancellor Angela Merkel has pledged to spend more on defense, the effort remains unpopular among German voters. Current plans would only bring spending up to three-quarters of where she pledged to NATO leaders it would be by 2024. Germany's soldiers have had to use broomsticks to train because they don't have enough guns.

One European policymaker said that many leaders initially hoped to ride out a single Trump term, but they fear that he could be reelected, giving him enough time to make many of his policy shifts permanent.

"It really does look like we're on the cusp of a new era, and we're not quite ready for that in the E.U.," the policymaker said.

The talk of a NATO crackup has gotten so bad that even NATO Secretary General Jens Stoltenberg, who has typically tried to play down transatlantic disagreements, acknowledged the fears last month, shortly after the G-7 summit.

"It is not written in stone that the transatlantic bond will survive forever. But I believe we will preserve it," Stoltenberg said. "The lesson of history is that we have been able to overcome our differences."

Some diplomats say they are puzzled by the gap between Trump's ire and the opportunity for an easy political victory at the NATO summit. Fellow NATO leaders, spooked by Trump, are expected to increase defense spending by 3.8 percent this year, extending a trend that started under President Barack Obama. When Trump took office, only four NATO nations met the guideline of spending at least 2 percent of their annual economic output on defense. This year, eight are on track to do so, with another seven set to get there by 2024. Ahead of the summit, NATO countries have also

signed on to U.S. security priorities on counterterrorism and military readiness.

Trump additionally has poured money into U.S. military activity in Europe, asking for \$6.5 billion for the 2019 budget, nearly double the amount in Obama's final year in office.

"The only thing that will weaken the message is any kind of disunity," a senior NATO diplomat said. "If it comes to a question of why should the U.S. be in NATO."

Even absent an actual pullout, the spirit of the alliance is at stake, many here say.

"If it's really a threat linking security to trade, that can destroy the basis of NATO," said Stefano Stefanini, a former Italian ambassador to NATO who is a security consultant in Brussels. "The basis of NATO is that security across the Atlantic is a common good."

Summit Looms For A Strained NATO Alliance

By Jacob M. Schlesinger And Bojan Pancevski

[Wall Street Journal](#), July 8, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Ambassador: Trade Wars Not Spilling Over Into NATO

By Louis Nelson

[Politico](#), July 8, 2018

Trade tensions between the U.S. and longtime allies have thus far not bled over into military activities at NATO, the U.S. ambassador to the treaty organization said Sunday ahead of President Donald Trump's trip to Europe later this week.

"One thing I will say is that in all of the disagreements that we have seen at the G-7 and with allies with whom we are now having trade talks and negotiations and tariffs, that has not come up in the NATO context," U.S. Ambassador to NATO Kay Bailey Hutchison told "Fox News Sunday." "Our diplomats are professional and they are staying on our NATO issues, where we are 100 percent allied."

The president's trip to Europe this week will begin with a stop in Brussels on Wednesday and Thursday for a NATO summit, where Trump will once again come face-to-face with world leaders with whom he clashed badly at last month's G-7 summit in Canada.

Trump has complained loudly about U.S. trade relationships with longtime allies, including Canada and the European Union, arguing that his nation is treated unfairly. In an effort to reset those relationships on more favorable terms for the U.S., Trump has imposed tariffs

on certain imports, prompting the EU and Canada to implement retaliatory tariffs.

The escalating trade tensions have put the U.S. at odds with longtime allies and partners even as Trump has sought improved relations with North Korea's Kim Jong Un, with whom he met in Singapore last month on the heels of the contentious G-7 summit, and Russia's Vladimir Putin, with whom the U.S. president will meet in Finland at the tail end of his Europe trip.

With Trump and Putin set to meet, Hutchison warned that she believes Russia is attempting to flip Turkey, a NATO member, and other allies against the U.S. She said Trump has spoken to Turkish President Recep Tayyip Erdoan to urge him against purchasing a Russian anti-aircraft system, telling "Fox News Sunday" that the prospective purchase would "affect the interoperability of our NATO forces" there.

More broadly, Hutchison, a former Republican senator from Texas, credited Trump for an uptick in defense spending by NATO member states, an issue the U.S. president has harped on since the 2016 campaign. Trump, the U.S. ambassador to NATO said, has succeeded in forcing such a spending increase where other presidents have failed in the past.

"NATO really is making progress and they are doing it really at President Trump's insistence, and I think that it's very clear, and he's been very direct about the Europeans needing to do more for their own security," Hutchison said. "I've worked for, probably — with three presidents, all of whom have said the same thing. Now I think for the first time we are really seeing the Europeans actually start going in the right direction."

Why NATO Matters

[New York Times](#), July 8, 2018

The allies are looking with dread to this week's summit as President Trump continues his campaign to undermine a decades-old partnership.

The editorial board represents the opinions of the board, its editor and the publisher. It is separate from the newsroom and the Op-Ed section.

As Lord Ismay, NATO's first secretary general, somewhat cheekily observed, the trans-Atlantic alliance was created to "keep the Soviet Union out, the Americans in and the Germans down." Seven decades later, those goals have largely been met (yes, the Germans have risen, but in the right ways), and many people — including, evidently, the president of the United States — wonder whether the alliance still has a purpose.

It does. It remains the most successful military alliance in history, the anchor of an American-led and American-financed peace that fostered Western

prosperity and prevented new world wars. No one has proposed anything credible to improve upon it. But as the allies gather in Brussels this week for their annual meeting, many are wondering whether the American president is intent on wrecking it.

Born after World War II, NATO linked America and Europe not just in a mutual defense pledge but in advancing democratic governance, the rule of law, civil and human rights, and an increasingly open international economy.

The alliance was the core of an American-led liberal world order that extended to Asia and relied on a web of international institutions, including the United Nations and the World Bank.

American military protection gave the allies space to develop their economies and pluralistic societies. Despite compromises and occasional failures, the experiment was broadly successful.

During its existence, NATO has often been strained as the security and political environment evolved. After the Cold War, it found a new purpose, defending Muslims in the Balkans, and after 9/11, helping the United States fight terrorists in Afghanistan, Iraq, Africa and elsewhere.

Former Communist countries swelled the alliance from 12 members to 29, with others knocking on the door even now, concerned about an aggrieved and aggressive Russia.

Across seven decades NATO has invoked its Article 5 mutual defense commitment only once: to rally to the defense of the United States after the attacks of 9/11. Even today, the armed forces of 39 countries are serving, and sometimes dying, with American troops in Afghanistan.

More than 70 (NATO and non-NATO) countries are part of the U.S.-led fight against the Islamic State; two dozen countries have joined a global counterterrorism initiative.

In short, NATO remains central to major American national security initiatives in a world shaken by the rise of an increasingly assertive China, the expansion of competing power centers from India to Saudi Arabia, the surge of migration from the Middle East and Africa and the dislocations caused by globalization.

Yet NATO is being weakened from within — by members' failure to spend enough on defense; by the rise of nationalism and authoritarianism, especially in Turkey, Hungary and Poland; and perhaps most of all, by President Trump, who seems to prefer President Vladimir Putin of Russia to America's European allies.

NATO has always depended on leadership from the United States, the world's biggest economy and

most lethal military power. Mr. Trump not only doesn't want to lead the West, he has denigrated the alliance, bullied its leaders and accused NATO and the European Union of exploiting American largess.

At a rally in Montana last week, he complained that while the United States is protecting Europe, "they kill us on trade."

"We're the schmucks that are paying for the whole thing," the president said. "I'll see NATO and I'll tell NATO, 'You've got to start paying your bills.'"

While his predecessors often pressed the allies to raise their military budgets, Mr. Trump has a singular view of NATO as a transactional relationship in which members pay for protection.

Many allies can do more to reach the target level of spending 2 percent of their annual G.D.P. on defense by 2024. Faced with the Russian threat and Mr. Trump's pressure, they are making real progress toward this goal, for which the president can take some credit.

But NATO is not a golf club, and money, the only thing Mr. Trump prizes, is just one, narrow measure of the costs and benefits of belonging. This president has shown no understanding of the power of partnership, and the reciprocal nature of its bonds, in an alliance that stands for something far bigger than paying your dues on time.

Mr. Trump is burning up all the credit the United States has accrued with our allies across decades by attacking the basis of this alliance, if not the very idea of any alliance — thus, deliberately or not, doing the bidding of Mr. Putin in his quest to divide the West.

"NATO can withstand four years under Trump," one former NATO ambassador said in an interview. "I don't think we'll withstand eight."

Given the legacy of Republican support for national security and democratic allies, one might expect that Republican congressional leaders would speak up. But, cowering before Mr. Trump, they have been virtually silent as he has undermined America's alliances.

The NATO meeting is expected to approve significant new steps to contain Russia, which most of the allies, and most of Mr. Trump's senior advisers, recognize as a threat, even if the president does not. These measures include establishing two new military commands, expanding cyberwarfare and counterterrorism efforts and approving a new plan to speed the reinforcement of troops and equipment to Poland and the Baltic States to deter Russian aggression.

Sooner rather than later, NATO is also going to have to decide what to do with Turkey and the other countries that are eroding the fabric of the alliance by repudiating democratic principles.

At this week's gathering, the result that matters most is a firm and convincing commitment to a strong NATO, ready to contribute to stability today, and to adapt to future challenges. With no coherent vision of his own to make Americans, and democracy generally, more secure in a world without NATO, Mr. Trump would do well to make that commitment, and honor the friends we have.

Trump's NATO Progress

A stronger alliance can put him in a stronger position against Putin.

By The Editorial Board

[Wall Street Journal](#), July 8, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Mattis' Clout Will Be Put To The Test As Trump Squares Off With NATO

By Carlo Muñoz

[Washington Times](#), July 8, 2018

President Trump's ability to get along with America's top military allies is the dominant storyline of this week's NATO summit in Brussels.

But an intriguing subplot is emerging over Mr. Trump's ability to get along with his own top military adviser.

Despite repeated Pentagon denials of a rift, the relationship between Mr. Trump and Defense Secretary James Mattis remains a source of intense speculation in Washington and in numerous NATO capitals, where the four-star Marine general is seen as a steady force and calm voice in a U.S. administration that seems determined to question some of the fundamental premises and practices of the Western alliance.

The Brussels summit will be the first intentional trip the two men have made since Mr. Trump's landmark North Korea summit in Singapore, a crowning moment of Mr. Trump's diplomacy where Mr. Mattis and the Pentagon were conspicuous by their absence. Since that summit, Secretary of State Mike Pompeo has been the face of the administration's North Korean outreach, even as Mr. Trump has made military gestures to the North that took Mr. Mattis and his generals by surprise.

The Pentagon repeatedly has shot down reports that Mr. Mattis is increasingly being frozen out of Mr. Trump's inner national security circle, reports that refuse to die down ahead of NATO's annual ministerial meeting that starts Wednesday.

Mr. Mattis "works behind the scenes, and works quietly" compared with some more public and political figures in Mr. Trump's Cabinet and circle of aides, said Magnus Nordenman, director of the Transatlantic

Security Initiative at the Washington-based Atlantic Council, but his value to the administration should not be underestimated.

"The [European Union], from Day One, saw Mattis as their friend and colleague. At the end of the day, they believe everything will be fine as long as he stays in office and has the ear of the president," Mr. Nordenman said. "If his star is fading, then fear among NATO [members] will rise."

A former four-star Marine general, Mr. Mattis is one of the last remaining members of Mr. Trump's original national security appointments still on the job.

His policy allies, including Secretary of State Rex W. Tillerson and National Security Adviser H.R. McMaster, have been replaced by more hawkish figures with a personal rapport with the boss. Former CIA Director Mike Pompeo now runs Foggy Bottom, and Gen. McMaster was succeeded by onetime U.N. Ambassador John R. Bolton.

During their tenure, Mr. Mattis, Mr. Tillerson and Gen. McMaster were both praised and criticized for their moderating influence on Mr. Trump on issues such as the Iran nuclear deal, climate change and relations with Beijing. All three men appeared to be trying to roll back some of Mr. Trump's more confrontational rhetoric against European powers within the NATO alliance.

Struggling for relevance

But the Pentagon has at times struggled to remain relevant in policy debates and repeatedly has been surprised by initiatives approved by Mr. Trump and his White House team.

The Defense Department was reportedly left in the dark on Mr. Trump's decision to withdraw from the groundbreaking Iran nuclear deal in May. Prior to that, Mr. Trump abruptly announced via Twitter plans to ban all transgender troops from serving in the U.S. military, despite the fact that Mr. Mattis and his staff were still in the midst of a six-month review of the Obama-era policy allowing transgender troops in the armed forces. Mr. Trump has become enamored of a new separate military Space Force for outer space; Mr. Mattis had opposed the idea in a letter to House lawmakers.

Most notably, Mr. Mattis and Defense Department staff were absent from the Singapore summit with North Korea's Kim Jong-un last month, with Pentagon liaison officers remaining with White House and State Department support staff back in Seoul. U.S. military forces in South Korea were blindsided by Mr. Trump's post-summit pledge in Singapore putting on hold major annual U.S.-South Korean military exercises.

A week before the Singapore summit, Mr. Pompeo also held a one-on-one discussion with Pakistani Army Chief of Staff Qamar Javed Bajwa, the top military official

in Islamabad — a discussion traditionally conducted with the Pentagon chief. Days later, it was the State Department, not the Pentagon, that issued the formal U.S. government response to the recent cease-fire in Afghanistan between the Taliban and government forces.

Analysts say a weakened or sidelined Mr. Mattis would spark major concern on the other side of the Atlantic.

A premature exit by Mr. Mattis could be a signal to European allies that the U.S. "is no longer willing to back up the security alliances" that have underpinned the Cold War-era alliance since 1949, said Eric S. Edelman, former Pentagon policy chief in the George W. Bush administration.

"This has given us a whole different character" in the eyes of America's NATO allies, said Mr. Edelman, now a senior adviser at the Washington-based Foundation for the Defense of Democracies.

But a senior administration official said recent events show that the diplomatic and military strands of policy are no longer so easily separated. Mr. Mattis has repeatedly cited the need for the State Department to lead the diplomatic offensive so the U.S. military can avoid unnecessary conflict.

"I do not think these [diplomatic and military] threats separate out so easily," the official said on the condition of anonymity.

NATO, the official added, is "a political alliance," one with a major role for the State Department.

White House officials view the cooperation between Foggy Bottom and the Pentagon in the run-up to the NATO ministerial as harmonious, the administration official said.

Mr. Mattis may have to smooth some ruffled feathers in Brussels, as Mr. Trump has only ratcheted up his criticisms of NATO and the defense budgets of many allies in the weeks leading up to next week's summit. The president plans to summit with Russian President Vladimir Putin, perhaps NATO's biggest critic, just days after he leaves the NATO gathering, noted Mr. Edelman, a former ambassador to Turkey.

Mr. Mattis "is going to be acutely sensitive to things that will knock the alliance off kilter," he said. "After another bad [NATO] summit, going into the Russia meeting in Helsinki will be very unnerving to the alliance."

Pompeo Sees Hard Road Ahead But Pursues North Korean Denuclearization Talks

By David Brunnstrom

[Reuters](#), July 8, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Pompeo Dismisses North Korea Criticism Of Pyongyang Negotiations

By Nick Wadhams

[Bloomberg News](#), July 8, 2018

U.S. Secretary of State Michael Pompeo brushed off a harshly worded North Korean statement that cast doubt on the outlook for denuclearization talks between the two countries, insisting that Kim Jong Un hasn't backed off a commitment to give up his nuclear weapons.

"I was there for the event, I know actually what precisely took place," Pompeo told reporters in Tokyo Sunday, where he was meeting with Japanese Foreign Minister Taro Kono and South Korean Foreign Minister Kang Kyung-wha after two days of negotiations with a top aide to Kim in Pyongyang. "When we spoke to them about the scope of denuclearization, they did not push back."

New doubts were raised about the fate of the negotiations between the U.S. and North Korea late Saturday when North Korea issued a statement via state media describing the U.S. demands as "gangster-like" and "cancerous." The statement again underscored that North Korea would not accept the U.S. strategy of demanding complete denuclearization before the isolated regime gets sanctions relief.

A U.S. official who asked not to be identified speaking about internal negotiations said the U.S. believed the North Korean statement was a negotiating tactic, and that Pompeo wasn't discouraged. In his remarks in Tokyo, Pompeo was careful to frame the U.S. demands as a set of requirements spelled out in numerous United Nations Security Council resolutions.

"If those requests were gangster-like, the world is a gangster because there was a unanimous decision at the UN Security Council about what needs to be achieved," Pompeo said. "The enforcement of those sanctions will continue until denuclearization is complete."

With the foreign ministers of Japan and South Korea offering solid support for his approach, Pompeo said the discussions with North Korea were only reaffirming what Kim had promised directly to President Donald Trump during their summit in Singapore last month.

He cautioned the room of reporters not to believe everything they read, saying, "if I paid attention to what the press said, I'd go nuts – and I refuse to do that."

The U.S. will continue to enforce sanctions on North Korea even though the talks were "productive and encouraging," he said, adding there would be no relaxing the sanctions regime for now.

In a later speech delivered during a stop in Hanoi, Pompeo took a different approach toward North Korea, saying that Kim faced a choice similar to Vietnam, which overcame years of war and animosity with the U.S. to attain what he called "once-unimaginable prosperity" and a strong partnership with Washington.

"This miracle can be yours," Pompeo said. "The choice now lies with North Korea and its people."

Kono said Japan, the U.S. and South Korea reaffirmed their cooperation to push for complete, verifiable and irreversible dismantlement of North Korea's nuclear weapons program.

Pompeo Appeals For NKorea To Replicate Vietnam's "Miracle"

By Matthew Lee

[Associated Press](#), July 8, 2018

HANOI, Vietnam (AP) — Undeterred by a blistering rebuke of his efforts to forge a denuclearization deal with North Korea, U.S. Secretary of State Mike Pompeo on Sunday appealed for North Korea's leadership to follow Vietnam's path in overcoming past hostilities with the United States.

Pompeo called on North Korean leader Kim Jong Un to replicate Vietnam's "miracle" of economic growth by improving ties with the U.S., vowing that America keeps its promises with former foes.

Speaking to members of the U.S.-Vietnamese business community in Hanoi, Pompeo said Vietnam's experience since the normalization of relations with the U.S. in 1995 should be proof for North Korea that prosperity and partnership with the U.S. is possible after decades of conflict and mistrust. "We know it is a real possibility because we see how Vietnam has traveled this remarkable path," Pompeo said.

"In light of the once-unimaginable prosperity and partnership we have with Vietnam today, I have a message for Chairman Kim Jong Un: President Trump believes your country can replicate this path," he said, repeating President Donald Trump's pledge to help improve North Korea's economy and provide it with security assurances in return for Kim giving up nuclear weapons.

Pompeo responds to NKorean accusations of "gangster-like" demands

"It's yours if you'll you seize the moment. This miracle can be yours. It can be your miracle in North Korea as well," Pompeo said.

The comments came after Pompeo had earlier Sunday in Tokyo brushed aside North Korea's accusation that the U.S. was making "gangster-like" denuclearization demands of the North. He maintained that his third visit to North Korea on Friday and Saturday had produced results. But he also vowed that sanctions would remain until Pyongyang follows through on Kim's pledge to get rid of his atomic weapons.

Pompeo downplayed a harshly critical North Korean statement issued after the talks in which the country's foreign ministry bashed hopes for a quick deal and attacked the U.S. for making unreasonable and extortionate demands aimed at forcing it to abandon nuclear weapons. The statement was sure to fuel growing skepticism in the U.S. and elsewhere over how serious Kim is about giving up his nuclear arsenal.

"If those requests were gangster-like, the world is a gangster," Pompeo said, noting that numerous U.N. Security Council resolutions have demanded that the North rid itself of nuclear weapons and end its ballistic missile program. "People are going to make certain comments after meetings. If I paid attention to the press, I'd go nuts and I refuse to do that."

After meeting with his Japanese and South Korean counterparts in Tokyo, Pompeo said his two days of talks in Pyongyang had been productive and conducted in good faith. But following the stinging commentary from the North, he allowed that much work remains.

"The road ahead will be difficult and challenging, and we know critics will try to minimize the work that we have achieved," he said. He added that his two days of talks with senior North Korean officials had "made progress" and included a "detailed and substantive discussion about the next steps towards a fully verified and complete denuclearization."

Those include the formation of a working group to determine exactly how North Korea's denuclearization will be verified and a Thursday meeting with Pentagon officials to discuss the return of remains of American soldiers killed during the Korean War.

Pompeo sought to dispel suggestions that the Trump administration has backed down from demanding the complete, verifiable and irreversible dismantlement of the North's nuclear weapons. He said North Korea understood that denuclearization must be "fully verified" and "final."

South Korean Foreign Minister Kang Kyung-wha said that North Korea had balked at a written pledge for "complete, verifiable and irreversible denuclearization" for historical reasons but stressed that the goal remained

the same whether that exact phrase was used. Fully verified, final denuclearization "isn't any softer in stating our shared goal of complete denuclearization," she said.

Despite what he described as progress, Pompeo said the results so far did not warrant any easing of sanctions, which he said would be enforced "with vigor" until North Korea follows through with denuclearization.

After Trump's historic summit with Kim in Singapore last month, the president declared the North was no longer a threat and would hand over the remains of American soldiers. Yet three weeks later, the two sides were still divided on all the issues, including exactly what denuclearization means and how it might be verified. The promised remains have yet to be delivered.

And just hours after Pompeo arrived in Tokyo from Pyongyang on Saturday, the North blasted the new talks, saying they had been "regrettable."

In a statement carried by the North's official Korean Central News Agency, the foreign ministry said the outcome of Pompeo's talks with senior official Kim Yong Chol was "very concerning" because it has led to a "dangerous phase that might rattle our willingness for denuclearization that had been firm."

"We had expected that the U.S. side would offer constructive measures that would help build trust based on the spirit of the leaders' summit ... we were also thinking about providing reciprocal measures," it said. "However, the attitude and stance the United States showed in the first high-level meeting (between the countries) was no doubt regrettable. Our expectations and hopes were so naive it could be called foolish."

It said the North had raised the issue of formally ending the Korean War, which concluded with an armistice and not a peace treaty, but the U.S. came up with a variety of "conditions and excuses" to delay a declaration. It downplayed the significance of the United States suspending its military exercises with South Korea, something trumpeted by Trump after the summit as a success, by saying it made a larger concession by blowing up the tunnels at a nuclear test site.

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North Korea Reminds Trump Its Nuclear Weapons Won't Come Cheap

By David Tweed

[Bloomberg News](#), July 8, 2018

U.S. Secretary of State Mike Pompeo went to Pyongyang to get Kim Jong Un to give up his nuclear weapons. He left with a harsh reminder that the North Korean leader expects something in return.

While President Donald Trump's point man for nuclear talks summed up his 27 hours in the North Korean capital as "productive," the regime called the visit "regretful." No sooner had Pompeo left when Kim's media published a statement saying the U.S.'s "unilateral and gangster-like demand for denuclearization" risked upending ties less than a month after Trump and Kim shook hands in Singapore.

The next line of the more than 1,200-word statement may have captured the central complaint: "The U.S. side never mentioned the issue of establishing a peace regime on the Korean Peninsula, which is essential for defusing tension and preventing a war," an unidentified foreign ministry spokesman said.

The statement shows that Kim is willing to test Trump's patience and not bargain away his arsenal without sufficient security guarantees. The regime's belief that the weapons are needed to deter a U.S. attack dates back nearly 70 years to the still-unresolved Korean War, and will take more than a handshake to dispel.'Better Relationship'

"The president and high-ranking officials have been talking about this very quick timeline and are focused on the nuclear issue only, and not on the broader situation," said Eric Gomez, a foreign policy analyst at the Cato Institute in Washington. "Realistically, the only way you get to a denuclearized North Korea is if it has a better relationship with the United States."

That's why the vague 1-1/2 page agreement Kim signed with Trump on June 12 called for establishing a new relationship and a "lasting and stable peace regime." The pledge to "work toward complete denuclearization of the Korean Peninsula" was listed third.

Practically, assuaging Kim's security fears could require risky choices for the U.S. and its North Asian allies, such as rolling back America's nuclear umbrella or pulling back its troops in South Korea. The desire for a broader security realignment explains why Kim agreed to "denuclearization" and not disarmament.

Trump has already faced criticism for being too quick to make security concessions to Kim, including his unilateral suspension of military exercises with South Korea. The North Korean statement indicated such gestures hadn't gone far enough, saying the U.S. moves were "highly reversible" and left its military force intact "without scraping even a rifle."

'Good Faith'

The statement included a personal appeal to the U.S. president: "We still cherish our good faith in President Trump," it said.

"Their statement is typical North Korean negotiating style," Duyeon Kim, a visiting fellow at the

Korean Peninsula Future Forum in Seoul, said in an email. "The administration should press on with talks and expect more stumbling blocks along the way, but it must be careful that nuclear talks aren't held hostage to peace talks."

Pompeo was under increased pressure to show progress after reports that Kim expanded his nuclear weapons production in the run up the Singapore summit. The discoveries have further undercut Trump's assertion that North Korea was "no longer a nuclear threat." The regime is estimated to have as many as 60 nuclear bombs, plus missiles that can reach the U.S.

Working Group

In Tokyo on Sunday, Pompeo rejected the suggestion the two sides were far apart, describing North Korean officials as more receptive to U.S. demands behind closed doors. "When we spoke to them about the scope of denuclearization, they did not push back," he said.

It remains to be seen what the dispute means for a diplomatic effort that Trump has credited with helping to avert a nuclear war. The countries did agree this weekend to set up a working group to iron out further disagreements and to meet Thursday to discuss recovering the remains of U.S. military personnel killed during the Korean War.

Still, Pompeo also said Sunday he wanted to maintain a "maximum pressure" campaign against North Korea – a term Trump has said he was avoiding in order to foster diplomacy. The U.S. will have a harder time reapplying pressure after Kim used his detente with Trump to improve ties with key neighbors such as China and South Korea.

"Trump's maximum-pressure campaign has been completely neutralized by Kim's maximum-engagement strategy," said Stephen Nagy, a senior associate professor at the International Christian University in Tokyo. "This will make it increasingly difficult for the U.S. to have a united front."

— With assistance by Nick Wadhams

North Korean Denuclearization Talks Uncertain After Pompeo Visit

By Jessica Donati And Andrew Jeong
[Wall Street Journal](#), July 8, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Giuliani: Trump 'has To Sit Down With Vladimir Putin'

By Marisa Schultz
[New York Post](#), July 8, 2018

Despite the federal probe into his campaign's ties to Russia, President Trump's personal lawyer supports his upcoming face-to-face summit with Vladimir Putin, who intelligence officials say directed the 2016 election meddling.

"He has to sit down with Vladimir Putin," Rudy Giuliani told NBC's "Meet the Press" Sunday. "Vladimir Putin happens to run one of the most powerful countries on Earth."

Given Putin's nuclear arsenal and "very aggressive" posture, Trump should sit down with Putin in Helsinki on July 16.

"I don't think he has a choice. I think it's a sign of how confident the president is that he did nothing wrong. He's not going to be stopped by this," Giuliani said.

The US intelligence committee has concluded the Putin ordered an influence campaign to target the 2016 presidential election to disrupt US democracy, hurt Hillary Clinton and help elect Trump.

After a 16-month investigation, the bipartisan Senate Intelligence Committee announced this month it supports the intelligence community's findings.

Putin has denied any meddling in the election.

Trump has routinely downplayed Russia's meddling in the election and viewed the investigation as a politically-motivated effort to undercut his victory.

Though Trump said he sides with the US intelligence agencies, he told reporters last year he believed Putin when he denied attacking US elections.

Republican and Democratic senators alike raised concerns that Trump doesn't see Putin for who he really is – a proven adversary.

"I would just caution the president as we move forward with any discussions with Russia. Obviously, Russia is not our friend. We oppose many of the actions they have taken, going back to the invasion of Crimea," Sen. Joni Ernst (R-Iowa) told CBS's "Face the Nation."

"They will never be a true friend to the United States of America," Ernst added.

Sen. Lindsey Graham (R-S.C.) said Trump needs to call out Putin for his ongoing cyber campaign on US election systems.

"When Putin denies that he was involved in our election in 2016 – reject the denial," Graham told "Fox News Sunday." "Challenge him. Don't let him deny the obvious. They are still trying to disrupt the 2018 election cycle."

Sen. Chris Coons (D-Del.) said he's "very concerned" about what Trump might give away to Putin at the Helsinki summit.

But Giuliani said naysayers won't change Trump's mind.

"If you know Donald Trump, it's not going to stop him one bit," Giuliani said. "Any more than it'll stop him from doing any other thing. And he's ready to try to regularize things with Putin. But Putin's going to have to meet him more than halfway."

Annexing Crimea Was Egregious. Why Does Trump Disagree?

By Jackson Diehl

[Washington Post](#), July 8, 2018

Inside the U.S. government there is virtual unanimity on the question of Crimea, the Ukrainian region invaded and abruptly annexed by Russia in 2014: It was an egregious act of aggression and, as the first forcible transnational seizure of territory in Europe since World War II, should never be accepted by the United States.

There's just one exception to this consensus: President Trump.

Since his presidential campaign, Trump has repeatedly said — most recently, to the other leaders of the Group of Seven democracies — that Crimea ought to be part of Russia because a majority of its people are Russian-speaking and, as he put it in 2016, "would rather be with Russia." When Trump was asked about reports he might acknowledge Russian sovereignty over Crimea in his upcoming summit with Russian President Vladimir Putin, the president teasingly told reporters, "We're going to have to see."

In fact the likelihood of such a surrender looks small, for the moment. The White House last week reiterated the official position that U.S. sanctions on Russia "will remain in place until Russia returns Crimea to the Ukraine"; and Putin's own spokesman said the issue would not be on the agenda. (Inside the administration, there's far greater concern that Trump will hand Putin a victory in Syria, but that's another story.)

The Crimean question nevertheless tells us three things about Trump 18 months into his presidency: His crude and uninformed policy positions consistently outlast staff opposition and efforts at reasonable persuasion; this is particularly true when it comes to appeasement of Putin; and the steady growth of Trump's personal authority inside the White House and the Republican Party means that even on issues where he is a minority of one, he can compel his followers to line up behind him.

The case of Crimea is particularly stark because, unlike that of Iran or even trade tariffs, where Trump's shifts of U.S. policy have at least some support, there's really been no debate until now about Russia's land grab among foreign policy experts, or, apart from a handful of

outliers, members of Congress. A bill codifying U.S. sanctions against Russia for the invasion passed both houses by veto-proof majorities, including 98 to 2 in the Senate.

The logic here is pretty simple. Whether or not Crimea is historically more bound to Russia (which deeded it to Ukraine in 1954), or its residents prefer authoritarian rule from Moscow to Ukraine's democracy (a referendum staged by Putin on the question was grossly unfair), to accept that such factors justify armed aggression would return Europe to the jungle that produced two world wars. By Trump's logic, Putin would have cause to seize the parts of Latvia and Estonia that are Russian-speaking, not to mention Belarus and Kazakhstan.

To be sure, there's little prospect that Russia can be induced to return Crimea to Ukraine anytime soon. But rather than give up, the State Department has been working on a formal policy statement comparable to the 1940 Welles Declaration, which stipulated that the United States would never accept Soviet annexation of the Baltic states. That stance was vindicated half a century later when the Balts regained independence. Now, if Secretary of State Mike Pompeo has his way, the same red line will be drawn for Crimea.

Yet there was Trump, telling German Chancellor Angela Merkel, French President Emmanuel Macron and the rest of G-7 last month that Russia should be readmitted to the group, which expelled it in March 2014 because of the Crimea invasion. Aides were chagrined but not particularly surprised: Trump has been saying the same thing to them since last year. More than one has tried to educate the president out of his folly; one strategem has been to tell Trump that since he blames Barack Obama for allowing the Russian annexation, he shouldn't accept it.

Yet as on trade, Trump has proved impervious to facts, logic and even appeals to his political interests. In the case of trade tariffs, it's easy to trace that intransigence to prejudices Trump has publicly espoused since the 1980s. On Crimea, which Trump may not have heard of before 2014, his motivation is opaque. Perhaps special counsel Robert S. Mueller III will eventually provide an explanation.

What's striking, for now, is the degree to which Trump, as he converts the Republican Party into a cult of personality, has begun to turn around even such one-sided questions. Last week, just over a year after the Senate passed that bill writing Crimean sanctions into law — so that it would be harder for Trump to lift them — seven of its Republican members were in Moscow to express hope for "a new day" coming out of the Putin-

Trump meeting, as Sen. Richard C. Shelby (R-Ala.) put it. What changed? Surely not the U.S. national interest.

OTHER DHS NEWS

Sen. Durbin Compares Children Detained At Border To Thai Children Stuck In Cave

By Mike Brest

[Daily Caller](#), July 8, 2018

Democratic Illinois Sen. Dick Durbin compared the children who have been separated from their parents at the Southern border of the country to the 12 Thai kids who have been stuck in a cave during an interview on "Meet the Press" Sunday.

"Hearts and prayers are with those boys in Thailand, trapped in the cave," Durbin said.

"I hope our hearts and prayers are also with thousands of children, toddlers and infants, removed from their parents by the Trump administration, under zero tolerance," he continued. "They're trapped in a bureaucratic cave, too, so let's not forget them."

Four of the 12 children stuck in a Thailand cave have been evacuated so far. A team of international divers were able to reach them and take a couple of those kids back to safety, but it could take days for everyone to be rescued.

Durbin has been a critic of the president's immigration policy and last weekend joined the growing Democratic movement to call for the abolition of the Immigration and Customs Enforcement agency.

A Native American Tribe Has A \$800 Million Contract To Run ICE Detention Centers

By Justin Rohrlichadom Rawnsley

[Daily Beast](#), July 6, 2018

The Port Isabel Detention Center in Los Fresnos, Texas, is currently holding many of the parents who have been separated from their kids. But while PIDC is owned by ICE, its guards are provided by a subsidiary of Ahtna, Inc., a portfolio of businesses operated by the Ahtna, a federally recognized Alaska Native people.

Ahtna, Inc. is one of a number of companies profiting off of the deportation of undocumented immigrants from the United States. Previous reporting by The Daily Beast has revealed that the federal government currently employs the services of several companies and charities bringing in millions of dollars off of the Trump administration's treatment of immigrant families.

The Ahtna, who have also run immigrant detention centers in New York, Florida, and Arizona in addition to Port Isabel, fall under the National Congress of American

Indians (NCAI) umbrella, and Ahtna, Inc. is an Alaska Native Regional Corporation established by Congress under the Alaska Native Claims Settlement Act of 1971.

A recent statement from the NCAI decried the Trump administration's "forced separation of immigrant children from their families," calling it "simply immoral" and a reminder of "a dark period for many Native American families."

"For decades, the U.S. government stole Native children from their parents and forced them into boarding schools hundreds and sometimes thousands of miles away," NCAI President Jefferson Keel said in the June 19 announcement. "Our communities know too well the intergenerational psychological trauma that will flow from the actions that the United States is taking today. Congress and the President should take heed of such abhorrent mistakes from the past and actually live the moral values this country proclaims to embody by immediately ending this policy and reuniting the affected children with their parents. Families belong together."

Ahtna, Inc.'s ongoing work for ICE at PIDC would seem to put it at odds with the NCAI, which calls itself "the oldest, largest and most representative American Indian and Alaska Native organization in the country."

Neither group, however, would speak to The Daily Beast about the conflict.

Phone messages left with the Ahtna corporate arm went unreturned, and an email sent by The Daily Beast to Ahtna, Inc.'s four top executives prompted an immediate reply from an ICE spokesperson who said, "The contractor will not be responding to your request."

NCAI President Jefferson Keel, a Vietnam vet and lieutenant governor of the Chickasaw Nation in Oklahoma, did not return multiple calls and emails requesting comment. Jacqueline Pata, the NCAI's executive director in Washington, D.C., also didn't reply to requests for comment made through her office.

(Efforts to reach another Alaska Native corporation, Chenega Facilities Management, that provides building services and maintenance, according to federal contract data provided to The Daily Beast by Human Rights Watch, were also unsuccessful.)

"I had no idea that [Port Isabel] was connected to any First Nations group at all," an attorney who regularly visits the facility told The Daily Beast. "The guards there are almost exclusively of Latino heritage; they hire locally and I honestly doubt the guards even know they're working for a First Nations corporation."

The Ahtna have been operating immigration detention centers for ICE since at least 2002 (PDF), and have been staffing the Port Isabel Detention Center, which can hold up to 1,200 detainees, for about a decade (PDF). Unarmed guards at Port Isabel receive

67 hours of training (PDF). Armed guards get an extra eight hours of firearms instruction. Detainees get two hot meals and one cold meal a day (PDF), and all outgoing mail is photocopied.

Port Isabel doesn't house kids, but juvenile detainees and families are "supervised by the contractor"—Ahtna, in this case—at "off-site" locations, according to ICE documents (PDF). Guards at Port Isabel have reportedly told some detainees that if they want to see their children, they should withdraw their asylum claims.

"We spoke with 10 detained mothers at Port Isabel," Rep. David Cicilline (D-RI) told The Daily Beast. "The image of mothers in prison jumpsuits explaining through tears that they don't know where their children are, or what will happen to them, is still seared into my memory. What is happening right now is an outrage," he said, before Trump signed an executive order to end his own family separation policy.

From 2008 to 2015, Ahtna Technical Services (ATSI) did the work at Port Isabel. Since then, ICE's payments for guard services there have gone to Ahtna Support and Training Services (ASTS), another Ahtna, Inc. subsidiary. ICE has made at least seven payments to ASTS so far in 2018, the most recent coming on May 25 in the amount of \$17,714,355.20, Komala Ramachandra, a senior researcher at Human Rights Watch, told The Daily Beast.

Ahtna will earn a guaranteed minimum of \$800 million over the life of the contract, which has an option to run through 2022 (PDF).

"Personally, I see this sort of business venture as deeply problematic," one member of the Temagami First Nation said in an email.

According to an analysis of Department of Homeland Security (DHS) data obtained by New York City-based advocacy group Freedom for Immigrants, there were at least 1,016 reports of sexual abuse or assault filed by detainees in U.S. immigration facilities between May 2014 and July 2016, or more than one a day. Twenty-four of those complaints—2.4 percent—were investigated. On top of that, detainees filed 402 reports of "coerced sexual contact," 196 reports of "sexual harassment," and 380 reports of "physical or sexual abuse" by ICE.

DHS figures show four complaints of sexual abuse between 2013 and 2015 at Port Isabel specifically, Rebecca Merton of Freedom for Immigrants told The Daily Beast.

In one, a contract guard named Lorenzo Vasquez admitted to engaging in two sexual acts with a detainee. The indictment details some, but not all, of what Vasquez

copped to in March 2014, including “penetration of the anus of [the detainee] by finger.”

Vasquez was sentenced to six months in prison followed by six months of home confinement, and ordered by the judge not to “seek or maintain employment as a correctional officer, or similar employment, without prior written approval of the Court.”

In 2010, a Port Isabel contract guard was sentenced to three years in prison after he pleaded guilty to sneaking into the detention center infirmary on several occasions during 2008 and groping at least five different women.

The following year, another contract guard at Port Isabel was brought up on criminal charges for kicking a detainee in the face and fracturing his orbital bone. The assault itself occurred in 2009, the year after Ahtna, Inc.’s contract began.

“The facility is notoriously known for the systematic sexual, physical, and financial abuse by the officers who work at the detention facility,” read the criminal complaint in that case. “Many of the abuses that go on in the facility are documented in *Between the Fences Before Guantanamo*, There was the Port Isabel Service Processing Center, a book written by Tony Hefner. Mr. Hefner was a former security guard at the detention center and witnessed many of the atrocities that took place in the detention center.”

In a 2014 wrongful termination lawsuit, former Port Isabel guard Israel Cortez said he witnessed “alarming corruption and violations of basic human rights” during his four years working there. Hefner’s book, Cortez’s complaint said, “corroborates these facts.”

Hefner’s memoir recounts his five years working at Port Isabel, which was prior to Ahtna, Inc. winning the contract. During his time there, Hefner claims to have seen staffers sexually assault teenage detainees, both male and female, and physically and psychologically abuse the people ostensibly in their care.

All female detainees were transferred out of Port Isabel in 2009 (PDF).

Between 2009 and 2015, three detainees at Port Isabel have died—one from cardiac arrest, one from natural causes, and one 31-year-old Honduran whose cause of death is still listed in DHS records as “pending.”

At a 2012 congressional hearing, ACLU lawyers testified that “while centers in Texas resulted in the largest number of allegations, sexual abuse allegations have come from nearly every state that houses an immigration detention center.” And a 2015 report from the U.S. Commission on Civil Rights stated (PDF), “It is difficult to determine whether each ICE contractor is complying with [Prison Rape Elimination Act] standards or even with the appropriately corresponding detention

standards specified by its contract even with ICE monitoring and inspection schemes.”

Still, the lawyer who visits Port Isabel on a regular basis and spoke to The Daily Beast said it’s “one of the better-run facilities” they’ve seen in the ICE detention network. Although the guards work for a private company, there is a modicum of accountability due to a “substantial ICE presence” at the center that keeps things from “running wild.”

Yet, it remains “a tough place to be because the vast majority of people [detained at Port Isabel] are asylum seekers with no criminal history and aren’t used to this kind of prison atmosphere,” said the source. “Especially now, with parents who have been separated from their children, there’s a real sense of hopelessness.

“The most challenging thing for them is the absence of information, they just don’t know what’s going on,” the source continued.

“The parents were asking us the other day how they could get in touch with their kids, and we have this ICE flyer, but we really can’t answer their ‘what if?’ questions. And frankly, I don’t think ICE can, either—I don’t think they’ve thought this through far enough.”

No Deportation Flight And No Police As More Than 100 Protest At Gary Airport

By Meredith Colias-Pete

[Northwest Indiana Post-Tribune](#), July 5, 2018

More than 100 people gathered at the Gary/Chicago International Airport on Friday to protest its use as a staging ground for deportations.

Unlike earlier protests, two elements were missing: no flight and no police.

No deportation flights were scheduled for that day, airport spokesman David Goldenberg later confirmed. Security appeared limited to a part of the parking lot blocked by a row of blue police street barricades.

Earlier this week, organizers were told by the Gary Jet Center that “there was nothing scheduled this week” and decided to proceed with the protest, he said.

Goldenberg said he had no further information on when the next deportation flight would take place. A FAA spokesman said he did not have that information. A spokesman for Immigration and Customs Enforcement in Chicago could not be immediately reached. Organizers last protested there in May.

Friday’s protest was organized by NWI Resistance and included Chicago-based activists who arrived via bus, representatives from organized labor, local faith groups and others including Black Lives Matter-Gary.

Several speakers called those crossing the Mexican border illegally to be treated more

compassionately and called for the U.S. Immigration and Customs Enforcement agency (ICE) to be abolished.

"We have seen the buses, we have seen the men being shackled (headed to) the planes," protest co-organizer Lisa Vallee told the crowd. "This injustice is happening in your own back yard."

This spring, the President Donald Trump's administration began a "zero tolerance" policy to criminally prosecute anyone caught crossing the border illegally. Because children can't be in jail with their parents, more than 2,300 families caught by Border Patrol were separated.

The move prompted mass outrage in the United States and internationally. After first blaming the practice on the Democrats, Trump on June 20 signed an executive order that stopped the separation of families. A June 26 court order by a federal judge set a hard deadline to reunite the families, and that deadline is fast approaching. Demonstrations against the practice took place in Hammond and across the country June 30.

On Thursday, a U.S. government official told the Associated Press there are somewhere "under 3,000" children who were believed to have been separated, but that includes kids who may have lost parents along the journey, not just parents who were detained at the border. He said none had been transferred to Immigration and Customs Enforcement custody yet.

That fallout continued to be an additional focal point on Friday for protestors in Gary.

"It's depravity what's going on," said co-organizer Ruth Needleman. "A 9-month-old alone in a detention center, babies torn from their mother's breast. This is so cruel, that it compels us to triple, quadruple our efforts to shut down these deportations and to welcome immigrants instead of attacking them."

Retired teacher Hermelinda Gonzalez, 59, of East Chicago, said she learned about the deportations this week. The deportations have been taking place in Gary since 2013. She was upset at images of young children being separated from their parents.

"The families have no rights, neither do the children," she said. Many are fleeing "their own kind of dangers. They came here for a better life."

This month, Gary Mayor Karen Freeman-Wilson was criticized for a trip to the Texas-Mexico border trip, as deportation flights have been taking off from the Gary/Chicago International Airport.

She previously told the Post-Tribune the Gary Jet Center has a contract with the ICE. "We don't have anything to do with it," she said.

"We've looked into our options – there really are none. The irony is not lost on me. Here we are being

sued for having a welcoming city ordinance and people are being deported out of the airport."

ICE began using the airport for detainee removal flights in June 2013. The immigrant detainees are bused into Gary from a detention center about 40 miles away in Broadview, Ill.

They are then flown to Brownsville, Texas, near the Mexican border, for deportation.

The Associated Press contributed.

Dozens Gather At Gary/Chicago International Airport To Protest ICE Deportations

By Carlos Ballesteros

[Chicago Sun-Times](#), July 6, 2018

Nearly a hundred people gathered outside Gary/Chicago International Airport on Friday to protest deportations conducted through the airport on a regular basis by U.S. Immigration and Customs Enforcement.

Since 2013, ICE Air Operations has contracted with the Gary Jet Center, a tenant of the Gary airport, to fly deportees out of the country. The agency charters planes through World Atlantic Airlines, based in Miami Spring, Florida.

By June 28, 2017, a little over 12,500 immigrants had been flown out of the airport, as reported by the Post-Tribune last year.

ICE did not provide updated numbers to the Sun-Times of total deportations out of Gary/Chicago International Airport.

Demonstrators said Friday's rally — the third of its kind over the last year — was a way to highlight local resistance to the Trump administration's broader immigration agenda.

"We should not be doing ICE's dirty work on our watch, at our airport," said Susan Hurley, executive director of Chicago Jobs with Justice. "We need to let our elected officials know that we are watching and we expect them to do the right thing and shut this down immediately."

In a statement, Gary Mayor Karen Freeman-Wilson said her hands are tied by the federal government when it comes to allowing ICE to use airport facilities for deportations.

"Unfortunately, I have no authority to prohibit the legal use of airport property by the Gary Jet Center in this circumstance," she said.

Nevertheless, Freeman-Wilson criticized the Trump administration's ramping up of internal deportations, saying it devastates families. "The entire process is emblematic of the grave need for comprehensive immigration reform," she said.

Speakers Friday included clergy, immigrant rights activists, and rank-and-file union workers from East Chicago and elsewhere in northwest Indiana. All said immigrants and others in the working class must remain united. Many also supported recent calls to abolish ICE.

Organizers informed the crowd early on that the airport had "canceled" the deportation flight scheduled for that day. But according to internal emails reviewed by the Sun-Times, organizers of Friday's rally had known since Tuesday that ICE had not scheduled a Friday flight from the Gary Jet Center.

Carlos Ballesteros is a corps member in Report for America, a not-for-profit journalism program that aims to bolster Sun-Times coverage of issues affecting Chicago's South and West sides."

Protesters At Wichita Immigration Facility Demand Inspection

[Associated Press](#), July 6, 2018

WICHITA, Kan. (AP) — Protesters camping near an Immigration and Customs Enforcement processing center in Wichita are demanding that the agency allow it to be inspected by a group of elected officials.

Democratic state Sen Oletha Faust-Goudeau says inspection of the facility could help put people's minds at ease. She says its part of the duties as an elected official to see what's going on and answer questions they've been getting from constituents

The Wichita Eagle reported Friday that ICE told them elected officials would need to formally request access through Homeland Security's Office of Legislative Affairs.

Protests have stayed near the building since Sunday.

The building has been rented by ICE since 2013 and includes office space where undocumented immigrants are processed for detention and deportation.

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Report: Contractor Housed Separated Migrant Kids In Unlicensed Office Building In Phoenix

By Agnel Philip

[USA Today](#), July 6, 2018

PHOENIX — A company contracted to provide transportation for U.S. Immigration and Customs Enforcement housed children in an unlicensed facility near downtown Phoenix, according to a report from Reveal from the Center for Investigative Reporting.

Children were held at the office building over three weeks while the Trump administration's "zero tolerance" border-enforcement policy caused officials to separate families who had crossed the border illegally.

The report describes the facility as "a vacant Phoenix office building with dark windows, no kitchen and only a few toilets."

In a written statement to The Arizona Republic, MVM Inc., said Reveal "inaccurately reports that this building is a holding center for migrant families and children. To be absolutely clear: It is not."

"... We sometimes use this building as a temporary waiting area because it is a safe and private place for families and children in between transport. We would never leave these families or children at airport or other transportation hub to wait for hours.

"If needed and as approved by ICE, we use this building for that purpose and the standard waiting time is several hours."

A neighbor who lives behind what's believed to be the facility identified in the story said the building had been vacant before activity started around March. People with the company told him they had a contract with the federal government for "deliveries" but didn't mention they transported children.

"It basically looked like a new business," said the neighbor, who asked not to be identified by name. "They were ... painting and stuff, and that's really all I saw was some industrial lights in there."

Until 2½ weeks ago, he said lights were on at the facility throughout the day and night, but he never saw children transported in or out.

"Had I known that, I would have alerted the authorities, and I probably would have gone to jail to let them out," he said.

Another neighbor provided Reveal with video of children in sweatshirts being led into the facility. One of the children was so young she had to be carried, the video shows.

Jennifer Elzea, an ICE spokeswoman, said in a statement that companies like MVM are allowed to use office space as waiting areas.

"These offices are not overnight housing facilities, per the contract with ICE," she said in an email. "The offices are outfitted to provide minors awaiting same-day transport with a more comfortable and private atmosphere than they might otherwise have at a public transportation hub."

MVM's CEO, Kevin Marquez, signed a lease for the office building in March, a month before the zero-tolerance policy was announced, but the lease doesn't allow the space to be used for cooking or sleeping, according to the report.

An MVM spokesperson told Reveal that the building "is not a shelter or a child care facility. ... It's a temporary holding place" that was used until the children were flown to other locations. The company was unable to say how long children stayed at the facility or if they stayed overnight.

Reveal reporters last week spotted "an inflatable mattress, a box marked 'baby shampoo,' a medication schedule and other items" in the building.

Neighbors said they never saw staff take the children outside but did see packages of food and water taken into the building, according to the report. Two days after President Donald Trump signed a June 20 executive order ending family separations, five unmarked vans came to the facility to take the children away, neighbors told Reveal.

The facility isn't licensed by the Arizona Department of Health Services, a company spokesman told Reveal, but that a license would be required "where children are unaccompanied by a parent or guardian on a regular basis for periods of less than 24 hours a day other than the child's home."

MVM said it had consulted with the state and was told it wouldn't need additional licensing.

The department has no record of complaints for an unlicensed child care facility at the building's address, the spokesman told Reveal.

The Health and Human Service's Office of Refugee Resettlement, which operates the unaccompanied minor program, awarded MVM an \$8 million, five-year contract to "maintain readiness" and provide "emergency support services," according to the report.

Border Patrol Agent Pulled Over A Coachella Valley Doctor For Speeding

By Rebecca Plevin

[Palm Springs \(CA\) Desert Sun](#), July 6, 2018

An hour north of the California-Mexico border, a United States Border Patrol agent pulled over Dr. Javier Hernández, a Coachella Valley pediatrician, and alleged he was driving 100 miles per hour. The incident led to a confrontation over the Border Patrol agent's ability to use routine traffic stops to enforce immigration law.

"Am I being detained?" Hernández asked in a 16-minute video he recorded of the June 27 incident.

A spokesperson for the Border Patrol's El Centro Sector confirmed the officer in the video is, in fact, a Border Patrol agent.

The agent, whose badge read J. López, said in the video he was detaining the doctor for reckless driving and endangerment — allegations that could be beyond

the scope of Border Patrol agents, who are tasked with investigating violations of immigration law, according to Eva Bitran, a staff attorney with the ACLU of Southern California.

Hernández recorded the entire conversation on his cell phone and posted the video on YouTube. It has been since removed from the site. The video raises questions about Border Patrol agents' authority within 100 miles of the southern border. It also holds lessons for people — U.S. citizens and non-citizens — who live and travel in this border region.

As the interaction escalated, López asked Hernández for identification. The doctor refused.

"Why are you pulling me over?" Hernández asked. "Because I look like I have no papers?"

"You're acting like you're doing something illegal," López said. "You're acting like you're violating immigration laws."

A spokesman for the El Centro Sector of the Border Patrol declined to comment on the video. He said U.S. Customs and Border Protection's Office of Professional Responsibility is conducting an internal investigation and "will take appropriate actions after they review the video."

Here's what Bitran of the ACLU said you should know about interacting with the Border Patrol: What can Border Patrol agents do north of the U.S.-Mexico border?

Border Patrol agents have the authority to investigate violations of civil and criminal immigration law within 100 miles of the border, Bitran said. She said their authority is limited by the U.S. Constitution, which protects people against arbitrary searches and seizures of people and their property.

"I think there's this myth that CBP likes to perpetuate that within the 100-mile zone, they can do whatever they like," Bitran said. "But that's not the case. The Constitution still governs." Is speeding a violation of immigration law?

No, speeding is not a violation of immigration law, Bitran said. What should I do if a Border Patrol agent pulls me over?

No matter your citizenship or immigration status, you have the right to remain silent or tell the agent you'll only answer questions in the presence of an attorney. Silence cannot be used as evidence to support probable cause or reasonable suspicion to arrest, detain or search you or your belongings, according to the ACLU. The organization published a list of people's rights in the border zone.

There is a limited exception: If you have permission to be in the country for a specific reason and a limited amount of time, you are required to provide

information about your immigration status if asked, according to the ACLU. You can remain silent, but you could face arrest. What should I say to a Border Patrol agent?

If you interact with the agent, you can ask: "Am I free to leave?"

If you're not allowed to leave, that means an agent is detaining you. To detain you, an agent must have reasonable suspicion — meaning, he must have specific facts that make it reasonable to believe you've violated immigration law.

"Neither your ethnicity, nor your name, nor the language you speak is alone enough to provide suspicion to stop you," Bitran added.

If you're being detained, you can ask: "On what basis are you detaining me?"

Bitran said if the basis is a traffic violation, you can say, "it's not within your authority to detain me for a traffic violation." Do I have to show identification to a Border Patrol agent?

U.S. citizens are not required to carry proof of citizenship if they are within the country.

If you are undocumented, you can decline the officer's request. What happened to Dr. Hernández?

According to the video, Hernández never showed Agent López a government-issued identification. A California Highway Patrol agent later approached the video, spoke with Hernandez and allowed him to leave.

The Chill Of Detention: Migrants Describe Their Experiences In US Custody

By Ray Sanchez, Sheena Jones, Dave Alsup And Keith Allen

[CNN](#), July 7, 2018

(CNN) Children are confined to windowless rooms in metal enclosures that some call kennels.

Parents agonize for information about sons and daughters taken from their arms at the southwestern border.

Adults and children are held in prison-like conditions, with unsanitary bathrooms, lockdowns and solitary confinement.

Immigration officers mock their accents. They're told they will never see their children again. At least one migrant was called filthy but denied access to showers.

Actually, the US has a long history of separating families

These claims were culled from hundreds of pages filed in a lawsuit by a coalition of state attorneys general claiming that the Trump administration's separation of families at the border violated due process and equal protection clauses of the Fifth Amendment.

The court documents allege horrid conditions endured by adult and child detainees who experts say have suffered indelible psychological scars under the family separation policy.

Tyler Houlton, a spokesman for the US Department of Homeland Security — which oversees Customs and Border Protection and Immigration and Customs Enforcement — declined comment on pending litigation.

There was no immediate comment from Customs and Border Protection, ICE or the respective detention centers.

Here is a look at some of the migrants' accounts, as taken from the court documents.

Young son 'not the same since we were reunited'

Olivia Caceres, her partner and their two sons left El Salvador in early October. They traveled through Mexico with a caravan of more than 230 migrants hoping to be granted asylum at the US border.

The couple split up when the youngest child, who was 14 months old, became ill. Their 5-year-old son continued on the journey to the border with his mother, according to court documents.

On November 12, Caceres' partner, her toddler son and other caravan families arrived at the San Ysidro border crossing in California. When she reached Tijuana days later, Caceres learned that father and son had been separated by immigration authorities.

It took this mother 55 days to be reunited with her child

Caceres' partner later told her by phone that there was nothing he could do. Immigration agents threatened to use force to take the child from him.

She learned her youngest child was being held at a shelter in Texas. At some point, she began speaking with the boy a couple of times a week via video conference. In late December, Caceres and her other son requested asylum in the San Ysidro crossing. They ended up in la hielera — the Spanish word for "icebox" that migrants and guards use to describe the frigid government holding cells — where she watched two mothers "crying and screaming" as their children were taken from them.

Caceres was released a few days later in January. She wore an ankle bracelet for months as she struggled to regain custody of the 5-year-old. The last step was a DNA test to confirm her maternity. She was reunited with her son in Los Angeles on February 8, according to court documents.

The boy looked scared. He had a blank stare. On the way home, he cried and screamed. He wouldn't let go of her leg.

"When I took off his clothes he was full of dirt and lice," she recalled. "It seemed like they had not bathed him the 85 days he was away from us."

Her son "is not the same since we were reunited," she said.

"I thought that, because he is so young he would not be traumatized by this experience, but he does not separate from me. He cries when he does not see me. That behavior is not normal."

'The price to pay for crossing the border'

Maricela Batres and her 8-year-old son were picked up by border patrol agents shortly after entering the United States illegally on May 20. They had fled El Salvador, where Batres said MS-13 gang members demanded \$300 a month just to let them live.

Trump has no answers for the border crisis.

"We were placed in the 'kennel,' where we sleep on the ground with a blanket made of aluminum," she said, according to a court statement. "The officers told us our children would be taken from us for the crime of crossing the border."

An immigration officer told detainees that being separated from their children was "the price to pay for crossing the border," Batres said.

"We do this so that when you return to your countries you do not return, and so you tell your relatives not to come because we will take your children from you," the officer told the migrants, according to court documents.

When she signed her statement June 20, she still didn't know her son's whereabouts.

'20 girls were detained in each cage'

A 15-year-old girl identified only as "G" fled El Salvador with her mother after threats from a gang member, according to Alma Poletti Merlo, an investigator in the civil rights unit of the Washington state attorney general's office. Poletti interviewed eight children separated from their parents and taken to a shelter in Seattle last month and recalled those conversations in her own declaration.

Immigration authorities detained the mother and daughter in Texas in early June and they were taken to a place called the icebox. The girl was later separated from her mother, who was assured she would be able to visit her daughter. She hasn't seen her since.

Reuniting separated families is a giant mess.

"G described this place as awful," the court document said. "It was a room with no windows divided in three by wire fencing that made them look like three cages. 20 girls were detained in each cage. The place was freezing because they kept the air conditioner on all the time, and each child was given a mat and an aluminum blanket to keep themselves warm."

The girls positioned their floor mats close together to make room for others. A swift kick to the mats by guards shook them out of their slumber for the daily 4 a.m. cell counts. The youngest girls were about 3. One crying 4-year-old sought comfort from a female guard, who quickly turned her away.

The 15-year-old recalled being hungry most of the time. She had no idea where her mother was but still expected her to show up and take her away. Eventually she was transferred to another shelter in Washington, where G was finally able to call her mother.

G broke down when she told Poletti Merlo that her mother – "her hero (and) a brave woman who always worked hard to support her and give her the best she could" – told her she, too, was going hungry in detention.

'They told us that we were filthy'

Delfina Ismelda Paz Rodriguez, 23, left El Salvador with her 6-year-old daughter, Ashley. She said she was fleeing abuse and violence at the hands of her partner, a national police officer.

In May, Paz Rodriguez and Ashley illegally crossed the Rio Grande into Texas. After an hour, they were detained by border patrol.

'They treated us as though we were animals': Letters from inside detention

"The first day, we were together in a dog kennel (la perrera) with 25 or 30 other people," she said. "The conditions were terrible. We slept on the floor. It was very cold. They gave us food that was inedible."

The next day, she was taken to court, separated from Ashley and transferred to another detention center, according to court documents.

"The conditions ... were awful. I was unwell and I couldn't sleep. I think that I had a nervous breakdown because of what I was going through. The officers yelled at us constantly and insulted us. For example, they told us that we were filthy. It was psychological torture."

While in the second facility, she learned her daughter was with her sister in Los Angeles.

"I don't know how she got there," she said.

Prison-like conditions

Visitors to family detention centers have described "prison-like conditions with cement floors for sleeping; open toilets; lights on 24 hours a day; inadequate food and water; and limited medical, dental, and mental health services," Shadi Houshyar, director of early childhood and child welfare initiatives at the nonprofit Families USA, said in a court document.

"The prison-like conditions in detention, including constant surveillance can be confusing and intimidating for children," she said. "Children may feel unsafe in detention which could be a trigger and re-traumatizing for children who have experienced past trauma."

Children in an ICE detention center in New Mexico "lived with unsanitary bathrooms and were subjected to unjustified lockdowns and solitary confinements," Tara Ford, clinical supervising attorney for the Youth & Education Law Project at Stanford Law School, said in a court document.

'Don't you know that we hate you people?'

Gladys Monroy-Guerra de Tesucum and her two sons arrived in the United States from Guatemala on May 20. She said her cousin, a drug trafficker, had threatened to dismember her after she caught him raping his stepdaughter.

The options parents face after separation

At the border, immigration authorities separated her from her sons, Adolfo, 16, and Elian, 11.

"In the dog kennel, ICE (agents) mocked our accents," she said. The agents "took away our jackets in the cold to wake us up, and they threw out our food before we were finished eating."

Monroy-Guerra recalled one of her first encounters with immigration agents.

One said, "We don't want you in our country," according to court documents.

Another asked, "Don't you know that we hate you people?"

CNN's Keith Allen, Sheena Jones, Dave Alsup and Ray Sanchez reported this story, and Sanchez wrote from New York.

'Occupy ICE' Protesters Set Up New Camp At Philadelphia City Hall; Mayor Kenney Says They Can Stay

By Juliana Feliciano Reyes, Anna Orso
[Philly \(PA\)](#), July 6, 2018

A day after Philadelphia police swept away their encampment outside the federal Immigration and Customs Enforcement office in Center City, opponents of the Trump administration's immigration policies set up a new protest camp at City Hall. It was a move to get Mayor Kenney's attention, as the people of "Occupy ICE" grew angrier at the mayor for allowing police to destroy their first camp.

Outside City Hall, about two dozen protesters slept in makeshift tents constructed out of beach umbrellas duct-taped to tarps — organizers say police told them no tents were allowed. They plan to occupy this space until their demands are met.

In a news conference Friday afternoon, Kenney said the protesters are free to stay at City Hall as long as they want. But they'll have to rough it: Kenney said the city would not permit the use of tents or generators.

"They can be out there today protesting," he said. "Signs, bullhorns, 24 hours a day. And we will keep them protected. ... But having an Occupy situation like we had at Dilworth Plaza a few years ago became an unsanitary and unhealthy and unsafe environment."

Kenney also defended Thursday's police raid on the encampment outside the ICE office. Since non-ICE agents work out of the building where ICE is headquartered, civilians were "held captive to a degree," and that was not tenable, he said.

Many in the Occupy group thought the raid was unnecessarily aggressive. Kenney said he had asked the Police Advisory Commission to review how the raid was conducted.

"It's unpleasant to move people who don't want to be moved," Kenney said. "It's also unpleasant that a police commander gets headbutted by a protester who is being taken into custody. ... I saw that on video, too."

He continued: "The issue with yesterday's situation was that the actions of the police were recorded but not the warnings that were given prior to the action being taken. But again, we're going to review what happened to see if we can make some improvements to what happened, and hopefully we won't have to deal with this again."

How and when the protesters were warned is in dispute. Anlin Wang, a member of the Occupy ICE collective, says they were given only two warnings. An Inquirer and Daily News reporter witnessed police giving protesters instructions about clearing certain areas, and while they were trying to clarify so they could comply, bike police came in from the back and destroyed the camp. Police spokesperson Sekou Kinebrew said Occupy ICE was given "numerous warnings" and opportunities to clear the affected areas before police took action.

The protesters' demands remain the same in the new City Hall location — the abolition of ICE, the closure of a federal detention center in Berks County, and an end to a data-sharing agreement with federal agencies, including ICE — but the tactics have changed. Nationally, the Occupy ICE movement, which has reached about a dozen other cities, has focused on impeding the day-to-day operations of the agency by camping outside its headquarters. Now, Philly Occupy ICE's effort is zeroing in on local officials.

"This is a living, breathing mass movement, in all its chaos and complexity," read a statement from the Philly Occupy ICE Collective, saying that the group's strategies and leaders would continue to change and that "more actions are likely to be planned in the near future."

>> READ MORE: Did Philly police just bike-doze Mayor Kenney's relationship with progressives?

The proximity to Kenney's office is intentional. Protesters want to be "face-to-face" with members of City Council and the mayor, whom they fault for Thursday's raid and arrests, said Alex Casper, a 21-year-old who lives in West Philadelphia.

In his news conference Friday, Kenney said that while protesting is an important form of expressing your beliefs, "if you really want to do something ... make sure everybody votes in the 2018 midterms and goes and volunteers on a campaign so that we can change the government and get rid of ICE. Because I can't do it. If I could, I would."

The camp, which protesters built in the night and included some materials salvaged from the original camp site, has been dubbed #OccupyCityHall. Protesters Friday were milling around outside, chanting and eating donated food. They wrote messages — to Kenney, they say — in chalk on the sidewalk, including "Good Luck Getting Reelected Bootlicker," and, "If you do nothing, you are the problem."

Casper said the protesters want to confront Kenney and Council members, particularly about their plan for PARS, the police database to which ICE has access. Some said they would be willing to retreat if Kenney vowed to end that agreement, which is up for renewal once it expires in August.

>> READ MORE: Inside the Philadelphia Occupy ICE camp that police raided Thursday

Kenney said that he is "not necessarily happy with" the PARS agreement and that his administration is conducting a review to determine how ICE is using the database. He said his administration would likely end the agreement if ICE was found to be "misusing" the database by targeting "noncriminal" undocumented immigrants.

But, he said, his administration would tread lightly, as it wants to make sure any decision on PARS doesn't interfere with potential future appeals related to the "sanctuary city" court decision made just one month ago. It was a victory for Kenney over Trump, as the judge ruled that Philadelphia did not have to enforce federal immigration laws.

Although some protesters said the mayor's announcement showed their demonstration was making a difference, others remained concerned that the city would continue its arrangement with federal officials. "Whether or not they're misusing it isn't the problem," said Hope Beckary, 21, of South Philadelphia. "The agreement itself is the problem."

Though the initial Occupy ICE effort was organized by several groups, including the Philly Socialists and the

Democratic Socialists of America, many of the protesters at City Hall are not affiliated with a group.

The Philly Socialists are less involved with this specific encampment but are still providing support and plan to work with the Occupy ICE collective to fight for their demands, said Enav Emmanuel of the Philly Socialists.

Occupy ICE Louisville Could Be Squeezed Out By City

By Darcy Costello

[Louisville \(KY\) Courier-Journal](#), July 7, 2018

Louisville officials are demanding that the protesters posted outside the downtown Immigration and Customs Enforcement building move their camp to create a 4-foot walkway on the sidewalk, which could potentially squeeze the camp off the property.

Occupy ICE Louisville has been demonstrating against President Donald Trump's immigration policies since Monday morning, camping alongside the the federal building in what they've named Camp Compasión.

Several tents are lining the sidewalk along 7th Street between Broadway and Magazine Street, leaving little room to maneuver past them in some areas but providing crucial shade and shelter.

The protesters were pushed back by federal officials who barred them from the lawn earlier this week and set up steel barriers bordering their property on Friday morning.

Now, the city says they can't take up that space, either.

In a statement Saturday, city officials said the police department's legal counsel and the county attorney agree demonstrators must create a pathway to comply with the Americans with Disabilities Act and state law.

"We have been accommodating to people's right to free speech, but those protesting must also be in compliance with state and local laws," LMPD Chief Steve Conrad said in the release.

This step by Mayor Greg Fischer's administration comes on the heels of a large protest in front of Occupy ICE's demonstration.

Hundreds of people turned out in support of their mission and in opposition to a group of counterprotesters, many of whom are members of the militia group the Three Percenters.

In the statement, Conrad equated the two groups, despite calling the Occupy ICE protesters peaceful on Friday evening.

"Given the presence of weapons on both sides today, there was a very real potential for violence," Conrad said. "There remain public safety concerns, and we will continue to monitor the situation."

Jesus Ibañez, a member of Occupy ICE, said they are still working to determine their next steps, including if there is any legal recourse or way to comply. But it's clear, he said, "they want to push us out into the streets and just be done with us."

"What a farce for them to say they protect the First Amendment rights, yet they're doing everything in their power to potentially kick us out," Ibañez said.

Jean Porter, a spokeswoman for Fischer, said her understanding was the sidewalk in front of the building was 9 feet, meaning there would be room for the walkway.

"We're not trying to squeeze them off the sidewalk," she said. "We want there to be a clear passageway for other people."

A reporter measured the sidewalk at various points from the property line to the curb outside the ICE office and found it to be a little more than 8 feet at its widest but narrower in other parts. All of the tents currently exceed the 4-foot limitation being imposed by the city.

Police spokeswoman Jessie Halladay said if Occupy ICE doesn't create the pathway by Sunday, the department will serve the group with a written notice. If they still don't comply, they will be taken to court.

Louisville officials note that Occupy ICE has not applied for a permit or identified a lead contact. Police say they asked the group to apply for a permit on Tuesday, but the group did not.

More: Protesters confront Mitch McConnell over immigration on Bardstown Road

Additionally, police say since the protest began on Monday, the group was contacted "multiple times each day" by officers who attempted "to provide safety information and attempt to begin a dialogue about concerns for their safety and that of the public."

"Those attempts at two-way communication were unsuccessful," the city wrote.

Ibañez said the permit was presented as an option for the protest, but the group didn't pursue it because they didn't want the time to be limited and because "that's not how civil disobedience works."

Employee At Group Home Faced Sexual Misconduct Allegations

By Judy L. Thomas

[Kansas City \(MO\) Star](#), July 6, 2018

A man with a history of sexual misconduct allegations is employed at the Topeka nonprofit that is

housing nearly four dozen migrant children, including some separated from their parents at the border.

Jeff Montague, human resources manager for The Villages Inc., was arrested in Topeka in 2007 for solicitation of sodomy in Gage Park, records show. And in 1989, the Boy Scouts of America severed ties with Montague after being told that he'd been suspended from his teaching position at Seaman High School in Topeka because of allegations of sexual advances toward a male foreign exchange student.

Sylvia Crawford, executive director of The Villages, said in an email that a former employee raised concerns about Montague's past about a year ago.

At that time, Crawford said, "both DCF and the Inspector General's office completed an investigation with no corrective action required on our part." SIGN UP

The Villages for decades has helped troubled and neglected youth, including juveniles sent to group homes and children in foster care. The Department for Children and Families licenses the Topeka nonprofit, which has a contract with the federal government to house youth.

Montague, 63, also is a prominent Topeka stage actor who has appeared in several productions with the Topeka Civic Theatre. He could not be reached for comment.

In the solicitation case, Montague entered a diversion agreement in Topeka Municipal Court and paid \$300 in fees and court costs, according to The Topeka Capital-Journal.

Documents from the Boy Scouts, obtained by the Los Angeles Times and made public in 2012, show that Montague held several positions in Scouting, including scoutmaster and lodge adviser. On a 1989 staff application for the National Jamboree, Montague said his special skills included six years as a camp director and directing and designing dozens of theater productions.

A March 8, 1989, letter included in the Boy Scouts file said that the foreign exchange student knew Montague through Scouting. The Jayhawk Area Council sent Montague a letter dated March 9, 1989, saying that it had received several phone calls from volunteers in the Seaman High School district.

"After careful review, we have decided that your registration with the Boy Scouts of America should be suspended," it said. "We are therefore compelled to request that you sever any relations that you may have with the Boy Scouts of America."

Another document in the file, dated May 30, 1989, said that "the school will not make a statement other than, 'He is on medical leave and his contract will not be renewed.' "

It also said that "nothing in this case is black and white."

Montague's past resurfaced in 2014 when he was featured in a campaign ad for Paul Davis, the Democratic gubernatorial candidate who was running against Republican Gov. Sam Brownback. Davis' campaign quickly pulled the ad after Montague's past was disclosed by the Kansas GOP. Davis issued an apology to Kansans, saying that "a participant in one of those ads has serious issues in his background."

Kansas lawmakers first learned through an editorial in The Star last month that migrant children forcibly separated from their parents at the border were staying at The Villages. The separation was part of President Donald Trump's "zero tolerance" crackdown on illegal immigration that includes the prosecution of all adults who are apprehended crossing the border illegally.

In fiscal 2017, The Villages received \$2.6 million in funding from the Office of Refugee Resettlement through its Unaccompanied Alien Children Program. This fiscal year, it has already received \$3.2 million.

GLOBAL MEDIA

Woman Exposed To Nerve Agent In Southern England Dies; Police Launch Murder Investigation

By William Booth

[Washington Post](#), July 8, 2018

LONDON — A middle-aged British woman, who somehow came into contact with the Soviet-era nerve agent, died Sunday evening in a hospital in south England where she was being treated for exposure to the chemical weapon.

Prime Minister Theresa said she was "appalled and shocked by the death," and announced that incident is now being investigated as a murder.

Dawn Sturgess, 44, was one of five people who have become critically ill after being exposed to the military-grade nerve agent in the Salisbury area.

She was exposed to the chemical last weekend and survived eight days.

Her boyfriend Charlie Rowley, 45, was also exposed to the nerve agent around the same time and place — and he remains in critical condition and in a coma at the Salisbury hospital.

The poisonings began with a still unsolved attack against former Russian spy and double agent Sergei Skripal and his adult daughter, Yulia, four months ago.

Specialists at the nearby military research laboratory at Porton Down, which specializes in the

study of chemical weapons, identified the nerve agent used against the Skripals and Sturgess and Rowley as Novichok.

The U.N. chemical weapons watchdog confirmed the finding in the Skripal case.

U.K. Opens Murder Probe After Woman Exposed To Nerve Agent Dies

Dawn Sturgess died Sunday just over a week after being admitted to a Salisbury hospital

By Stephen Fidler

[Wall Street Journal](#), July 8, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

A British Woman Just Died From Novichok Poisoning. We Must Know Whether Russia's At Fault

[Washington Post](#), July 8, 2018

When two Russians carried radioactive polonium to London in 2006 in a murder plot against Alexander Litvinenko, a former officer of the Federal Security Service turned critic of President Vladimir Putin, they left behind a trail of the substance. They poisoned Mr. Litvinenko by putting it in his tea, and he later died, but they also left traces in hotels and a restaurant and aboard several airplanes, among other places. It was a brazen and ugly assassination in an open society, for which the perpetrators escaped punishment, and a British inquiry later concluded Mr. Putin "probably" approved the killing.

Now, another dangerous substance has been strewn around Britain, killing another person, and once again the urgent question is whether it came from Russia, as appears likely.

In early March, in the British town of Salisbury, a former Russian intelligence officer turned double agent, Sergei Skripal, and his daughter, Yulia, were discovered poisoned by Novichok, a binary nerve agent developed in the last years of the Soviet Union and believed to be 10 times more powerful than VX nerve gas. Fortunately, Mr. Skripal and his daughter recovered sufficiently to leave the hospital. No one ever identified who poisoned them, although Russia was highly suspect because Mr. Skripal had betrayed the intelligence services there, and Russia might still have samples of Novichok from Cold War times.

Then on June 30, two more Britons, Charlie Rowley and Dawn Sturgess, were sickened with Novichok in Amesbury, eight miles north of Salisbury. Ms. Sturgess died Sunday. The two appeared to have no ties to Russia, but Mr. Rowley was known as an avid

"skip diver," a scavenger of trash bins who searched for valuables that others may have thrown away. Perhaps he came across an attractive-looking thermos or something else that had carried the Novichok originally used against the Skripals. In both cases, Russia has denied any responsibility and crudely sought to deflect blame on others.

The Skripal poisonings triggered expulsions of Russian diplomats and intelligence officers from the United States and Britain, and reciprocal action from Moscow. But it cannot be left there. Those who weaponized Novichok must not be allowed to get away with this kind of banditry and murder on foreign soil, as Mr. Litvinenko's killers did.

In June, a proposal to strengthen procedures for attribution in chemical weapons attacks — in other words, figuring out who did it — was approved by the nations that signed the Chemical Weapons Convention prohibiting the use of chemical weapons. The initiative was pushed by Britain, backed by the United States and approved by 82 nations, while opposed by 24 of those present. The opposition included Russia and Syria, where the Moscow-backed regime has regularly used chemical weapons in the civil war. If translated into effective action, this initiative could provide more teeth to investigations, helping detectives finger the perpetrators.

Amesbury Novichok Police Operation 'Will Take Months'

[BBC News Online \(UK\)](#), July 7, 2018

The police operation into the poisoning of a couple with a nerve agent in Salisbury is "expected to take months to complete", officers have said.

Police say Charlie Rowley, 45, and Dawn Sturgess, 44, were exposed to Novichok after handling an unknown object.

The pair remain in a critical condition in hospital a week after falling ill.

Their symptoms were the same as those of Russian ex-spy Sergei Skripal and his daughter Yulia, who were poisoned in March.

No one else has come forward with similar symptoms following the incident, Wiltshire Police said.

Police in hazardous material (hazmat) suits spent Friday searching John Baker House in Salisbury, the hostel where Ms Sturgess lives.

Officers are also looking through more than 1,300 hours of CCTV footage to identify when the couple came in contact with the nerve agent.

Police said the "unique challenges" surrounding the operation meant "police activity is expected to take weeks and months to complete".

Novichok can be degraded by rainwater and sunlight over time — meaning it was probably discovered by the pair in a contained space, a government source said.

The government blamed the poisoning of the Skripals, both of whom have now left hospital, on the Russian authorities.

Home Secretary Sajid Javid has called on Russia to explain "exactly what has gone on" after another MP, Conservative Tom Tugendhat who chairs the foreign affairs committee, said the latest incident was the result of a "war crime" and "vile act of terror" by Russia.

Russia — which denies involvement in either incident — said the UK was trying to "muddy the waters" and "intimidate its own citizens".

Heatwave impacts search progress

The search for the "source item", the container believed to have poisoned the pair now critically ill in Salisbury hospital, is proving harder than predicted.

Due to the current heatwave, police detectives and chemical weapons experts wearing huge Hazmat (Hazardous Material) suits are only able to spend a few minutes at a time inside the property being searched.

Every single item of possible interest, however small, is having to be assessed as the possible source of the Novichok nerve agent poison and is having to be handled with extreme care.

Whitehall officials are hopeful that the source item will eventually be found — even if it takes months. Who are the victims?

Ms Sturgess is understood to be a mother of three who lives at the Salisbury hostel, which offers supported accommodation.

A close friend of Ms Sturgess's, who also lived at John Baker House, described her as a "loving and caring person".

Mr Rowley's brother Matthew told the BBC: "He's a lovely guy and would do anything for you. He's a sweetheart basically." What happened to them?

On Saturday, paramedics were called twice to a flat in Muggleton Road in Amesbury — first at 11:00 BST after Ms Sturgess collapsed.

Medics attended again several hours later, after Mr Rowley also fell ill.

A friend of the couple, Sam Hobson, said after Ms Sturgess was taken to hospital, he and Mr Rowley went to a chemist in Amesbury to collect a prescription before going to an event at a nearby Baptist church.

The two men returned to the flat and planned to visit the hospital but Mr Rowley "started feeling really hot and sweaty" and began "acting all funny", Mr Hobson, 29, said.

"He was rocking against the wall and his eyes were red, pinpricked, and he started sweating loads and dribbling, so I had to phone an ambulance for him," said Mr Hobson.

Based on information from a friend and items found at the flat, Wiltshire Police initially thought the pair had fallen ill after using a contaminated batch of heroin or crack cocaine.

But after tests at the government's military research facility at Porton Down, a major incident was declared and it was confirmed they had been exposed to Novichok. What are the police investigating?

Police do not believe Mr Rowley and Ms Sturgess were victims of a targeted attack, but instead came into contact with the substance in Amesbury or Salisbury.

On Friday night, police revealed more details around the victim's movements.

They said the pair were both at John Baker House at lunchtime on 29 June, before visiting a number of shops in Salisbury and heading to Queen Elizabeth Gardens.

They returned to the hostel at about 16:20 BST before heading to Amesbury by bus at about 22:30.

Police believe they were there until emergency services were called on Saturday.

Five areas have been cordoned off: Muggleton Road, Boots pharmacy and the Baptist church in Amesbury; John Baker House and Queen Elizabeth Gardens in Salisbury.

Public Health England has repeated its "highly precautionary advice" for people who had visited those five locations but stressed there was no immediate health risk.

PHE advised washing worn clothes with a regular detergent at normal temperature, wiping items like phones and handbags, and double-bagging dry-clean only items, with further instructions to follow on those.

Mr Javid said the "strong working assumption" was that the pair came into contact with Novichok in a location which had not been cleaned up following the Skripal poisoning.

Assistant Commissioner of Specialist Operations Neil Basu said that "around 100 detectives" from the Counter Terrorism Policing Network were working on the investigation.

Amesbury Poisoning: Novichok's Obscurity Is Making Cleanup Harder, Scientists Say

By Alex Matthews-King

[Independent \(UK\)](#), July 6, 2018

The relative obscurity of the novichok nerve agent until its use in the poisoning of four people in Wiltshire may be making the search and cleanup of any remaining traces more difficult, scientists say.

Portable monitoring devices which can detect various nerve agents are not set up to look for novichok substances because "they were not considered likely chemical weapons" when the devices were designed.

These devices are used by the military and weapons inspectors to find traces of substances like mustard or sarin gas in the air or around the site of a weapon's use.

Amesbury major incident after couple exposed to novichok

Without them the inspectors are having to take soil and vegetation samples in the areas visited by the victims before testing them manually in a laboratory to ensure all traces are removed.

"There is no specific method for detection for novichoks in the environment," Professor Alastair Hay, an expert in environmental toxicology at the University of Leeds, said.

"There are chemical agent monitors for various nerve agents which can be used, but nothing which will identify novichoks as they were not considered likely chemical weapons when the monitors were designed."

Read more

Around 100 counterterror detectives are working on the case and have cordoned off parts of Salisbury and nearby

Amesbury where Dawn Sturgess and Charlie Rowley were found collapsed.

The pair were apparently poisoned accidentally by traces of the nerve agent used in what British authorities say was an attempt to assassinate former Russian intelligence officer Sergei Skripal, along with his daughter Yulia, earlier this year.

Chemical agent monitors (CAMS) are used by the military or weapons inspectors to detect vapour traces given off by the chemical weapons as they break down.

This might also make them unsuitable in the case of novichok as the chemical is known to be very stable and remains active long after use, which is part of the reason it takes so long for its victims to recover.

Novichok inventor: 'I understand panic of Salisbury residents'

Detectors for VX, the nerve agent used to poison North Korean leader Kim Jong-un's half brother, rely on picking up traces of chemicals which have reacted with the substance, as it also does not form vapours.

Other devices are able to sample these "involatile" nerve agents, which don't form vapours on their own, by

heating up samples and swabs to release the chemicals and make them detectable, Professor Hay revealed.

While effective detectors require a precise picture for novichok, less specific detectors do exist and could flag substances with a similar molecular make-up to the chemical weapon – which is largely phosphorus-based.

"But [that] would give false positives if there were any other phosphorus-containing chemicals in the area being sampled," Professor Hay told The Independent.

Dr Chris Morris, from the Medical Toxicology Centre at Newcastle University told The Independent: "We've got detectors that will pick up organophosphorus compounds, whether they will pick up novichok is another matter.

"A portable detector will pick up 'I've got something nasty' which is an organophosphorus compound, and it may point to a specific compound such as sarin or VX.

"Then you would take that sample away, analyse it and confirm it."

French Court Rules In Favor Of Humanitarian Aid To Illegal Migrants

By Josh Jacobs And Sam Schechner

[Wall Street Journal](#), July 6, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

This Italian Town Once Welcomed Migrants. Now, It's A Symbol For Right-Wing Politics

By Jason Horowitz

[New York Times](#), July 7, 2018

At the end of his shooting rampage as the police closed in, Luca Traini climbed the steps of a Fascist-era monument, wrapped himself in an Italian flag and straightened his arm in a Fascist salute.

He had shot and wounded six African migrants — from Ghana, Mali and Nigeria — in this medieval city near the Adriatic Sea to avenge the dismemberment of a young Italian woman, allegedly by a Nigerian drug dealer. In his mind, he was a patriot.

But to Italian leaders, liberals and anti-fascist groups, Mr. Traini was a terrifying omen.

National elections were weeks away and the Feb. 3 shootings came during a hate-laced campaign marred by anti-migrant language, rising intolerance and hints of a Fascist revival.

At the height of the migrant crisis, Italy had been a progressive bastion and a staunch supporter of European unity. But now, the national mood had hardened. Mr. Traini's rage crystallized, in grotesque

form, the growing backlash against migrants and the rise of right-wing politics.

The March 4 elections swept in a new populist government which is deeply skeptical of the European Union and has already slammed the door to new migrants while threatening to expel the ones already in the country. To some in Brussels, Italy is now Europe's greatest existential threat.

"Within one year, we will see if united Europe still exists," Matteo Salvini, the country's new interior minister, said recently.

Mr. Salvini is now Italy's most turbulent and powerful force. More than anyone, he understood and harnessed the rage unleashed in Macerata.

Often scoffed at for its wobbly governments and disregarded as a mere pleasure dome, Italy has long been Europe's laboratory for political change. The birthplace of Fascism, Italy gave the world Mussolini, flirted seriously with communism, and, in electing Silvio Berlusconi, provided a playbook for billionaires seeking power the world over.

Now, as liberal democracies across Europe are under strain, new threads of populism are transforming Italy's politics, and fast. Mr. Salvini's nationalist party, the League, has increased its support in Macerata from 0.6 percent in 2013 to 21 percent in March.

Macerata was not always that way.

It had a reputation for tolerance and, in 2013, won national recognition for its integration efforts. The former bishop once boasted about the "welcoming spirit" encoded "in the DNA of the city."

Humanitarian groups such as the Catholic charity Caritas set up in the city to work with migrants. Inside the Caritas reception center, Ibrahim Diallo, 18, from Senegal, spent a recent afternoon practicing conjugation of the verb "to be" with a young Italian woman, Luigina.

"Io sono Ibrahim; tu sei Luigina," he said. "Noi siamo a Macerata."

But that version of Macerata seemed more in the past tense.

Macerata's new bishop, handpicked by Pope Francis, observed recently that "all the tensions rising in the country are now visible in this city."

In the university, founded in 1290, left-wing students warned that a group of hard-right students in the humanities department were espousing the works of Julius Evola, the spiritual and intellectual godfather of Italian Fascists and Italy's post-Fascist terrorists.

They said students were attempting to form chapters for hard-right groups such as CasaPound, which is doing better in municipal elections around the country, and Forza Nuova, which in October attempted to re-enact Mussolini's 1922 March on Rome.

Martina Borra, a local leader of Forza Nuova, is a friend of Mr. Traini, who has been charged with racially motivated attempted murder. He has admitted to the shootings but claimed temporary insanity and is currently on trial. Ms. Borra said he had many local supporters.

"If you ask most people about Luca Traini, they will tell you, 'He did well, but he should have killed them.'" She added that Italy owed him a debt of gratitude for "having revealed a problem" — and she seemed unbothered that none of the victims were thought to be drug dealers.

On a drive outside the city, she indicated a housing project that she said had become a hub for drug dealers. Police helicopters whirled overhead as she pointed out a small house where women used to buy eggs and where addicts now bought drugs — the police had found human remains nearby.

For her and for others who share her extremist views, this was proof of the migrants' noxious influence on her country and her city.

On the road back to Macerata and the Fascist-era monument where Mr. Traini had been arrested, she responded to a question about what she was doing for the national holiday the following day, marking Italy's liberation from Fascism.

"It's not a holiday for us," she said.

Like many Italian cities, Macerata suffered in the aftershocks of the 2008 financial crisis. A devastating 2016 earthquake brought another setback. But city leaders hoped this year would be a turning point.

Romano Carancini, the city's affable mayor from the center-left Democratic Party, spent the winter preparing a dossier called "Friendly Macerata" as part of a campaign to become Italy's 2020 capital of culture. It was a designation that would make the city a major tourist destination.

There was much to include.

A college town of 42,000, it offered opera at the outdoor Sferisterio theater and baroque luxury at the indoor Lauro Rossi Theater. Its Palazzo Buonaccorsi had frescoed ceilings, Futurist masterpieces and a world-class collection of horse-drawn carriages.

At certain hours, children craned their necks up at the astronomical clock tower in the main square to see sculptures of the three magi emerging on a carousel. Giuseppe Garibaldi, Italy's founding father, had represented Macerata in Rome.

But it was the area's tranquillity that attracted Pamela Mastropietro, an 18-year-old from a working-class section of Rome. As a young teenager, she had started dating a Romanian drug dealer and gotten hooked on drugs.

Her mother, a hairdresser, finally persuaded her to enroll in a drug-treatment center overlooking vineyards in the hills near Macerata. She stayed for several weeks.

But on Jan. 29, as Macerata was named a finalist in the capital of culture contest, Ms. Mastropietro left the rehab center to buy drugs at Diaz Gardens, a park outside Macerata's city walls.

The winding park had become a warren for drug dealers, many of them migrants. Those demanding the expulsion of migrants pointed to the conditions of Diaz Gardens as part of their case. Mr. Carancini, the mayor, worried they had a point.

In his airy office, the mayor said he had little power to address crime because the Interior Ministry has jurisdiction over the police. Law enforcement was scant in many towns across Italy, including Macerata, handing a powerful talking point to Mr. Salvini who promised zero tolerance for crime when he took charge.

At the gardens, Ms. Mastropietro is believed to have been led to a 29-year-old Nigerian named Innocent Oseghale who had arrived in Italy on Aug. 26, 2014, around the height of the migrant landings. He had dropped out of his asylum program and turned to crime.

Soon after Ms. Mastropietro's dismembered body was discovered, the police found her bloody clothes inside Mr. Oseghale's apartment. Italian prosecutors charged him in June with murder, drug dealing and the desecration of a body.

The circumstances surrounding Ms. Mastropietro's death are still unknown.

Her mutilation horrified the country and immediately became an issue in the national elections. On the campaign trail, Mr. Salvini had already depicted a world in which migrant drug dealers preyed on wayward teenagers in an increasingly drug-addled country. Now, he pounced.

"What was this worm still doing in Italy? He wasn't fleeing a war. He brought the war to Italy," Mr. Salvini said in a statement posted on Facebook after Mr. Oseghale's arrest. "The left has its hands dirty with blood. Another state killing. Expulsions, expulsions, monitoring and still expulsions!"

Many Italians were already worried that their young belonged to a lost generation. Police reports of drug use, especially among the young, increased 40 percent in the last two years, according to a report presented in June in the Italian Senate.

Heroin and cocaine are making comebacks. And despite some improvements, youth unemployment still hovered above 30 percent, among the worst in Europe.

Frustrated young voters had fueled the rise of the Five Star Movement, Mr. Salvini's anti-establishment coalition partner. The party remained purposely vague

during the campaign to attract votes on the left and right, but Mr. Salvini did the opposite.

He accused undocumented migrants of taking jobs from young Italians and advocated extreme measures, including “a mass cleansing, street by street, neighborhood by neighborhood.”

In Macerata, Mr. Traini, who once described Mr. Salvini as his “captain,” held a similar view.

A chubby kid who grew up to be a weight lifter with the word “outcast” tattooed across his knuckles, Mr. Traini at first seemed like so many other members of Italy’s wayward youth. He was failing to find steady work and living at the age of 28 with his mother and grandmother.

But signs of Mr. Traini’s extremism were scattered around his room. He kept a copy of “Mein Kampf”; a black flag with a Celtic cross, used by the European neo-Nazi movement; and the cover of “Fascist Youth,” a magazine published during the rule of Mussolini.

After winning zero votes as the League’s candidate for local office in Corridonia, the town where Ms. Mastropietro had entered a drug clinic, he drifted further right, toward Forza Nuova.

Ms. Borra, the Forza Nuova activist, said that Mr. Traini’s nickname was “the wolf” but that he was a bit more like a “stray dog.” Having started in the League, she said, “he got close to CasaPound, all of the movements on the right.”

On the morning of Feb. 3, Mr. Traini went to the gym, heard a news report about Ms. Mastropietro on the radio and, according to his lawyer, went insane with a desire to kill drug dealers. He returned to his mother’s house and retrieved his Glock handgun. Armed with 50 bullets, he took off in his Alfa Romeo 147, music blasting.

“Maybe it was the Flight of the Valkyries,” joked Giancarlo Giulianelli, Mr. Traini’s lawyer.

Outside Diaz Gardens and below a statue of Garibaldi, Mr. Traini shot at men sitting inside the glass gazebo of a bar. He fired into the local headquarters of the Democratic Party and rode out to the country road where the police had found Ms. Mastropietro’s remains.

Mourners had left flowers and candles wrapped in rosaries. Mr. Traini said a prayer over a candle with a sticker of Mussolini on it, his lawyer said.

As he returned to town, he stopped in front of a pub called H7, where he had worked until October when he was fired as a bouncer for insulting the clients at a techno concert. He fired three shots, sending Roberto Tartabini, the manager, scurrying into an adjacent room.

“It was a personal vendetta,” Mr. Tartabini said, adding that he intended to turn the bullet holes in the door into a smiley face to promote tolerance.

All six of Mr. Traini’s victims were black. Omagbon Festus, 33, was walking to the grocery store when Mr. Traini pulled up next to him. Mr. Festus said he saw “a pure white Italian man” pointing a pistol before he felt the bullet that shattered the bone in his left forearm.

In the hours after the shooting rampage, the news media and much of Italy’s political leadership descended on Macerata. Mr. Salvini offered a perfunctory condemnation of the violence on Twitter, but he also argued that “unchecked immigration brings chaos, anger” and “drug dealing, thefts, rapes and violence.”

Mr. Carancini, the mayor, scrambled to respond, and to his critics, seemed overwhelmed. But he said that the damage had already been done — to the image that the Democratic Party was effectively managing the migration crisis, to the party’s electoral prospects, and to Macerata’s chances of becoming a major tourist attraction.

Two days after the shootings, Mr. Carancini traveled to Rome to make his best pitch to the Culture Ministry.

“Macerata, in that moment, almost required it,” the mayor said bitterly. “We were in a centrifuge.”

The commission selected Parma, a town in northern Italy already famous for prosciutto and cheese, as the 2020 capital of culture.

Only a few years ago, Mr. Salvini, the interior minister, seemed like an old blemish on Italy’s fresh new skin.

He led the Northern League, a regional separatist party seemingly out of step with the national mood. Public opinion was rallying around asylum seekers after Pope Francis visited migrants on the island of Lampedusa in 2013.

The Italian government adopted a humanitarian policy to rescue migrants at sea, while the country’s center-left prime minister, Matteo Renzi, promised to lead Italy into what he saw as modernity.

But roughly 620,000 migrants, many of them Africans, have arrived in Italy since the migration crisis began in 2014. They resided in government centers and local parishes, but many also loitered at train stations or outside supermarkets and bars.

And some have inflated the ranks of the dangerous Nigerian mafia that traffics in drugs, prostitution and sex slavery.

Mr. Salvini turned out to be a talented politician with a gift for communicating just the earthy authenticity that the more domineering Mr. Renzi often lacked. He perceived the growing frustration as Brussels refused to help Italy share the migrant load, and he was willing to exploit it by advocating withdrawal from the euro

currency and by drawing nearer to right-wing leaders in Austria, Hungary and Poland.

By 2016, Mr. Salvini was on the rise.

He walked through a market in Milan, receiving the warm regards of Italian fruit vendors and pointing disapprovingly at the foreigners selling cloves of garlic. He stopped into a bar and talked about whether he wanted to leave the euro ("Definitely yes, tomorrow morning") or whether Russia had paid for his support ("It's geopolitical and free").

Several times, people interrupted to encourage him. "Do what you say you'll do," one woman said.

"I can't wait," he responded.

He transformed his Northern League party from a regional separatist movement into a national — and nationalist — movement. He had once disparaged southern Italians as lazy and reeking; now he courted their votes by dropping "Northern" from the party's name.

Cribbing from an international populist playbook, he railed against the elite and against the mainstream media, even as he dominated its news cycles. With southerners welcomed to the fold, he needed a common, external enemy for Italians to rally around.

He had once disparaged evil bureaucrats in Rome. Now he turned his ire on Brussels. The southern threat became invading African migrants.

To get his message out, Mr. Salvini mastered Facebook, as did his alliance partners in the Five Star Movement. Together they dominated social media and spread anti-migrant sentiment, even as the number of arrivals began to drop steeply under the Democratic Party's new government policies.

Last winter, as the campaign entered its full swing, Mr. Salvini posted a video to his Facebook account contrasting poor, elderly Italians digging through the garbage for food with African migrants criticizing Italian rice.

"On the TV news they don't show this, I wonder why ... At least SHARE it on the web," Mr. Salvini wrote. The post was shared 294,000 times with 10 million views.

By then, Mr. Salvini's appeal was spreading to places like Macerata.

On a recent evening, Tullio Patassini, a League member who now represents Macerata in Parliament, explained why the party fit so well, touching on topics such as law and order and the Russian sanctions. He said that Macerata, a traditional center of the Italian shoe industry, opposed sanctions against Russia because "the Russians love Italian shoes and we lost the market."

Mr. Salvini openly admires President Vladimir V. Putin of Russia and his populist government has already

opposed the European Union sanctions. But the decisive issue seemed to be migration.

Mr. Patassini said frustration over illegal migration had really turned up the temperature.

"It's like a pot that boils, boils, boils until the top shoots off," he said. "Because we Italians are a welcoming people, generous, good, available — and so the case of Pamela posed a problem for everyone. It's an Italy problem."

Weeks later, Mr. Patassini attended a funeral in Rome for Ms. Mastropietro, now known throughout Italy simply as Pamela. "How could I not be here?" he said.

At the onset of the migration crisis, towns and politicians in Sicily sometimes held funerals for unknown migrants who had drowned at sea in a sign of solidarity and respect. But at Ms. Mastropietro's funeral, parishioners in the back of the church whispered "No, no, no" when a delegation of Nigerian officials came to pay their respects.

Ms. Mastropietro's portrait and candles sat atop her white coffin. Mr. Carancini, the mayor, sat in the front row and listened as Ms. Mastropietro's mother gave an anguished speech.

"Even if they harmed you atrociously," she said in a trembling voice, "you are alive despite those people who massacred you."

Ms. Mastropietro was due to return from the drug treatment center on March 4, the day of the election that swept Mr. Salvini into power. It was also the day that Mr. Festus, one of the migrants shot by Mr. Traini, turned 33.

He lives about 45 minutes outside Macerata in a sparsely furnished room a short walk from a soccer field that was an internment camp for 61 Jews in World War II. The first time he saw Macerata, he said, he was struck by how clean it was. He shopped for red palm oil and talked to friends in the African shops. Now he avoids it.

"I crossed the Sahara and the Mediterranean," he said. "And this happened to me in Europe?"

Europe's history is bloody and the idea of it as a haven is relatively new. But people forget.

On April 25, the Italian holiday commemorating the end of Nazi occupation, a handful of army veterans saluted the fallen soldier at Macerata's crater-shaped Monument of the Resistance. Mr. Carancini, wearing a tricolor sash, urged the crowd not to forget Italy's Fascist past.

"This territory in particular is living a moment of great difficulty, uncertainty and precariousness," he said.

The ceremony ended, the crowd broke up, and some wandered past newsstands selling local papers headlined "Pamela: Torture and Crime, The Secrets of the Nigerians." At Piazza Vittorio Veneto, volunteers offered lunch for 200 residents and migrants. A priest

handed out prayer cards quoting Pope Francis: "We are all migrants."

Mr. Diallo, the Senegalese man who had practiced his Italian verbs at the Caritas center, laughed with friends as they ate African and Italian specialties. Tiziana Manuale, who managed the center, sat nearby. Many people at the lunch would be forced to leave, she said.

"There was the notion that Macerata is a welcoming city," she said. "But some parts of the population aren't ready."

The Man They Call 'Germany's Trump'

By Katrin Bennhold

[New York Times](#), July 6, 2018

It was a welcome fit for a king: A fawning crowd in traditional garb, three rounds of gun salutes and a brass band playing a royal march.

Markus Söder, 51, Bavaria's noisy new premier, got out of his car, complimented a woman in a dirndl, patted a couple of police horses, threw some sound bites about border security at the cameras, then strode into the beer tent to address the people of Baierbrunn, a small village near Munich.

"If Germany is strong, it's because Bavaria is strong," Mr. Söder intoned from the stage in his Frankish lilt, to approving cheers. "There should be big signs all over Berlin saying 'Thank You, Thank you, Thank you, Bavaria!'"

"And because we're strong," he roared over more cheers, "we take the liberty to have an opinion!"

Few outside of Bavaria know Mr. Söder (pronounced Zoo-der). Lately, attention has focused on Horst Seehofer, another Bavarian and the German interior minister whose threat to resign over a border issue created a political crisis this week.

But Mr. Söder as much as anyone is the reason Chancellor Angela Merkel, who once staked her legacy on welcoming hundreds of thousands of migrants to Germany, finally capitulated and agreed to turn back migrants already registered elsewhere in Europe at the Bavarian border with Austria — something Mr. Söder has been demanding for months.

The "opinion" Mr. Söder has voiced on behalf of Bavaria is that he wants to put a stop to what he calls "asylum tourism" and to "defend" Bavarian and Christian values. Last month he ordered Christian crosses to be hung in all state government buildings in Bavaria. This month he launched a Bavarian border force even though migrant numbers are sharply down.

Next are the "transit camps," a term first coined by Victor Orban, Hungary's semi-authoritarian prime minister, along the border with Austria (although there is talk now of holding them in ordinary police stations).

To his critics Mr. Söder is Germany's Trump, a fear mongering populist who is taking Bavaria's conservative Christian Social Union, the longtime ally of Ms. Merkel's centrist conservative party, to the far right and colluding with nativists in neighboring countries to overthrow Europe's liberal order.

To his fans, he is a man of the people, the son of a builder and a father of four who likes to eat at McDonald's, understands the anxieties of ordinary Bavarians and has what it takes to win back voters from the real populists, the Alternative for Germany, known by its German initials, AfD.

Mr. Söder, who holds regular citizens' office hours to hear from voters directly, has made it his mission to lure back voters from the AfD, which has been gaining ground in Bavaria ever since its 500-mile land border with Austria became the main gateway for migrants into Germany in 2015 and 2016.

Though the number of new arrivals is back to pre-crisis levels, Mr. Söder, sounding a lot like the AfD, is warning that Germany's migration crisis is coming back and that vast areas of the country have already become lawless no-go areas.

"People expect the state to show strength," he said in an interview before his recent beer tent appearance. "Migration and the question of cultural identity have posed a new question and you can't answer that with old recipes."

His new recipe — ahead of hard-fought state elections in the fall — includes a striking disregard for facts. He sides with President Trump (rather than official German crime statistics) when he claims that migration is producing a crime wave. In fact, crime in Germany is at a 25-year-low.

Lies, Mr. Söder scoffs.

"We have whole cities where law and order has withdrawn from neighborhoods," he said, citing Berlin and cities like Duisburg in the old industrial heartland in northwestern Germany.

"How can the state judge crime statistics in Duisburg when there are no police anymore?" he said.

He also rejects the notion that the actual migration crisis has subsided. In 2016, when the numbers reached their zenith, more than 62,000 people sought asylum in Germany on average every month. This year, that average has fallen to little more than 15,000 — the lowest since 2013. And the number of those registered elsewhere in Europe amounts to only a few hundred so far this year.

But Mr. Söder insists that "the numbers are going up," though, again, he cannot cite any supporting data.

"New alternative routes are being planned, for example via Albania," he said.

How did he know?

"Everyone is reporting this, you can sense a revival."

Had he actually seen an increase in migrants at the German border?

"No, not yet," he said. "But it's only a question of time."

The world Mr. Söder paints is the same one Mr. Orban and other European populists have been sketching out — a world where mostly Muslim immigrants are threatening to undermine Christian Western culture, and where a conservative revolution is needed to unseat the liberal governments that have allowed them in.

"Germany made a historic mistake in 2015, by leaving the borders open," Mr. Söder said. "Germany split Europe." Germany, not Bavaria, he stressed. "Bavaria was against it," he said.

"We talk about Islam all the time and don't realize how insecure we are about our own roots," Mr. Söder said. "In Bavaria, we stand up for our values."

Before taking the top job three months ago, Mr. Söder ran a number of ministries in Bavaria, most recently the Finance Ministry, which includes the "heimat" brief, an attempt at celebrating identity and a sense of cultural belonging, as well as diverting public investment from urban centers to rural areas to combat globalization fears.

It proved to be a good fit for Mr. Söder, who was applauded even by some opponents for several tangible successes: He moved several government offices out of big cities (the ministry itself ended up in his native Nuremberg), invested millions in faster internet for rural areas and helped struggling communities pay the bills for public services.

"Heimat," he says, "is the antidote to globalization."

In a state where folklore is politics and politics is folklore few disagree.

But some are uneasy about a revival in ostentatious celebrations of Bavarian customs at a time when the language about migrants has hardened. "It has a feel of exclusion," said Wolfgang Jirschik, the mayor of Baierbrunn, who listened to Mr. Söder in the beer tent the other night.

"He says he wants to calm people's fears and at the same time he fans them," Mr. Jirschik said. "Markus Söder has the ability to go right up to the limit of what is sayable before it becomes far-right ideology."

Others see it differently. "Söder is no Trump," said Thomas Dopfer, an accountant, who was also listening. "He has a sense of what preoccupies people, and most think being tough on migration is the only way to fight the AfD."

He has always been a shrewd communicator. In the beer tent recently he spoke for nearly an hour without notes. A near-teetotaler, he drinks diet soda or water, unless there is camera — then he will nip on a beer as well.

Strikingly tall — he stands about 6 feet, 6 inches tall, he is famous for his elaborate and themed disguises during carnival every year. One year he went as Marilyn Monroe, this year as a Bavarian king.

Mr. Söder, who once worked in television, knows how to tell a good story, including his own. He talks often about his modest roots in a working-class district of Nuremberg, less often about marrying the daughter of a wealthy businessman.

He became a conservative at 16 out of "conviction," in a neighborhood that had historically voted left. While his friends worshiped soccer players and pop stars, Mr. Söder hung a poster of the arch-conservative Bavarian leader Franz Josef Strauss on the wall of his bedroom. Growing up near American Army barracks, Mr. Söder says he has always been a fan of the United States, "the land of unlimited opportunities."

"In school you were either for Strauss or against Strauss, for America or against America," he recalled. He was always, as he put it, "pro-Bavarian and pro-American."

Long before migration became a hot-button issue, Mr. Söder built his reputation of a provocateur. German children should be called "Klaus" not "Kevin" he once said. Another time he proposed to have the entire Green Party sent for a drug test.

These days he expresses "respect" for Mr. Orban, a regular guest of honor in Bavaria, and for the Austrian chancellor, Sebastian Kurz, a fellow conservative who leads a coalition with the far right Freedom Party in Vienna.

Mr. Söder thinks that is not a big deal. Germany, he said, should stop being the "world champion of political correctness," he said.

"There was a time when the Austrian government was sanctioned temporarily because it has a coalition with the Freedom Party," he said. "Today, it's normal."

The Freedom Party is an ally of the AfD and other far-right parties in Europe. So, could an alliance between the conservatives and the AfD become 'normal' in Germany, too?

"I don't think so," said Mr. Söder, who then paused, and added more firmly: "Never."

Why Europe Could Melt Down Over A Simple Question Of Borders

By Max Fisher

[New York Times](#), July 6, 2018

The European Union has always been sold, to its citizens, on a practical basis: Cheaper products. Easier travel. Prosperity and security.

But its founding leaders had something larger in mind. They conceived it as a radical experiment to transcend the nation-state, whose core ideas of race-based identity and zero-sum competition had brought disaster twice in the space of a generation.

France's foreign minister, announcing the bloc's precursor in 1949, called it "a great experiment" that would put "an end to war" and guarantee "an eternal peace."

Norway's foreign minister, Halvard M. Lange, compared Europe at that moment to the early American colonies: separate blocs that, in time, would cast off their autonomy and identities to form a unified nation. Much as Virginians and Pennsylvanians had become Americans, Germans and Frenchmen would become Europeans — if they could be persuaded.

"The keen feeling of national identity must be considered a real barrier to European integration," Mr. Lange wrote in an essay that became a foundational European Union text.

But instead of overcoming that barrier, European leaders pretended it didn't exist. More damning, they entirely avoided mentioning what Europeans would need to give up: a degree of their deeply felt national identities and hard-won national sovereignty.

Now, as Europeans struggle with the social and political strains set off by migration from poor and war-torn nations outside the bloc, some are clamoring to preserve what they feel they never consented to surrender. Their fight with European leaders is exploding over an issue that, perhaps more than any other, exposes the contradiction between the dream of the European Union and the reality of European nations: borders.

Establishment European leaders insist on open borders within the bloc. Free movement is meant to transcend cultural barriers, integrate economies and lubricate the single market. But a growing number of European voters want to sharply limit the arrival of refugees in their countries, which would require closing the borders.

This might seem like a straightforward matter of reconciling internal rules with public demand on the relatively narrow issue of refugees, who are no longer even arriving in great numbers.

But there is a reason that it has brought Europe to the brink, with its most important leader, Chancellor Angela Merkel of Germany, warning of disaster and at risk of losing power. The borders question is really a

question of whether Europe can move past traditional notions of the nation-state. And that is a question that Europeans have avoided confronting, much less answering, for over half a century.

In 2015, at the height of the refugee crisis, Ms. Merkel warned that if European countries did not "fairly" share the burden, then opportunistic leaders could exploit the issue to dismantle Europe's freedom of internal movement. "It won't be the Europe we want," she said.

Three years later, Ms. Merkel has become the leader she warned about. To save her governing coalition in Berlin and bleed off populist sentiment, she has proposed imposing controls at the Austrian border to block refugees.

Most refugees arrive in Italy, Greece or Spain and are meant to remain there while waiting for asylum. In practice, though, many head north.

But how to pick out refugees from dozens of open roads and rail lines that connect Germany with Austria?

One option is to screen selectively for possible refugees; in essence, racial profiling. No one is sure how this would work. Spotters on border watchtowers with binoculars? Random pullovers? Any scheme seems likely to miss most refugees while harassing enough dark-skinned non-refugees to guarantee a backlash.

The other option is to set up checkpoints and screen everyone, making travel from Austria to Germany far more difficult, likely hurting both economies. In either scheme, Ms. Merkel's plan calls for camps along the border to hold refugees seeking to cross.

As Ms. Merkel warned three years ago, this could break the European Union as we know it. It would tacitly encourage other countries to harden their own borders, if only to protect from becoming holding pens for stricter nations like Germany.

Should enough borders harden, refugees could end up stuck in Italy, Greece and Spain — an outcome Ms. Merkel has also warned could doom the bloc by encouraging those countries to leave.

Shutting down internal movement would withdraw some of the union's most popular perks — ease of travel for work, vacation or family — and undercut trade and labor transfers, weakening the single market economy.

It might seem strange, then, that such a policy could be seen as indulging public demand. The fact that its ramifications would go so far beyond refugees, whose arrivals are anyway down sharply, suggests that public demand is about more than anti-refugee sentiment.

Perhaps the drive to restore European borders is, on some level, about borders themselves. Maybe when populists talk about restoring sovereignty and national identity, it's not just a euphemism for anti-refugee

sentiment (although such sentiment is indeed rife). Maybe they mean it.

Traveling Germany with a colleague to report on the populist wave sweeping Europe, we heard the same concerns over and over. Vanishing borders. Lost identity. A distrusted establishment. Sovereignty surrendered to the European Union. Too many migrants.

Populist supporters would often bring up refugees as a focal point and physical manifestation of larger, more abstract fears. They would often say, as one woman told me outside a rally for the Alternative for Germany, a rising populist party, that they feared their national identity was being erased.

"Germany needs a positive relationship with our identity," Björn Höcke, a leading far-right figure in the party, told my colleague. "The foundation of our unity is identity."

Allowing in refugees, even in very large numbers, does not mean Germany will no longer be Germany, of course. But this slight cultural change is one component of a larger European project that has required giving up, even if only by degrees, core conceits of a fully sovereign nation-state.

National policy is suborned, on some issues, to the vetoes and powers of the larger union. That includes control over borders, which are partially open to refugees but fully open to other Europeans.

Though the backlash has focused on refugees, who tend to present as more obviously foreign, studies suggest that it is also driven by resentment toward European migrants.

Traveling recently through Yorkshire, a postindustrial swath of northern England, I heard complaints that began about refugees but shifted quickly to Polish workers, who have arrived in much greater numbers. Some spoke ominously, if implausibly, of towns where Polish was more commonly heard than English.

It is not easy for Europeans to abandon the old-style national identity, rooted in race and language, that has caused them such trouble. The human desire for a strong group identity — and for perceived homogeneity within that group — runs deep.

Germany for the Germans, Catalonia for the Catalans. A country of people who look like me, speak my language and share my heritage. These nationalist impulses, however dangerous, emerge from basic human instinct. It makes us feel safe; losing it makes us feel threatened. It is reinforced in our popular culture and built into the international order.

European leaders hoped they could rein in those impulses long enough to transform Europe from the top down, but the financial crisis of 2008 came when their project was only half completed. That led to the crisis in

the euro, which revealed political fault lines the leadership had long denied or wished away.

The financial crisis and an accompanying outburst in Islamic terrorism also provided a threat. When people feel under threat, research shows, they seek a strong identity that will make them feel part of a powerful group.

For that, many Europeans turned to their national identity: British, French, German. But the more people embraced their national identities, the more they came to oppose the European Union, studies found — and the more they came to distrust anyone within their borders who they saw as an outsider.

European leaders, unable to square their project's ambition of transcending nationalism with this reality of rising nationalism, have tried to have it both ways. Ms. Merkel has sought to save Europe's border-free zone by imposing one hard border.

Sebastian Kurz, the Austrian chancellor, has called for ever-harder "external" borders, which refers to those separating the European Union from the outside world, in order to keep internal borders open.

This might work if refugee arrivals were the root issue. But it would not resolve the contradiction between the European Union as an experiment in overcoming nationalism versus the politics of the moment, in which publics are demanding more nationalism.

That resurgence starts with borders. But Hungary's trajectory suggests it might not end there. The country's nationalist government, after erecting fences and setting up refugee camps, has seen hardening xenophobia and rising support for tilting toward authoritarianism.

As the euro crisis showed, even pro-union leaders could never bring themselves to fully abandon the old nationalism. They are elected by their fellow nationals, after all, so naturally put them first. Their first loyalty is to their country. When that comes into conflict with the rest of the union, as it has on the issue of refugees, it's little wonder that national self-interest wins.

NATIONAL NEWS

Trump Weighs Supreme Court Candidates As Decision Nears

President deliberates with advisers, who aren't sure where he stands ahead of Monday announcement

By Peter Nicholas And Louise Radnofsky

[Wall Street Journal](#), July 8, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

A 'Supreme' Show: Trump Savors Big Reveal For Court Choice

By Catherine Lucey And Zeke Miller
[Associated Press](#), July 8, 2018

A family separation crisis of his own making continues at the border. His Environmental Protection Agency chief just quit amid mounting scandals. And he's about to meet with an adversary accused of meddling in the 2016 election.

But President Donald Trump has every confidence that on Monday night, the nation's attention will be right where he wants it.

After more than a week of pitched speculation, Trump will go on prime-time television to reveal his choice to fill the Supreme Court seat vacated by retiring Justice Anthony Kennedy, selecting a conservative designed to rally Republican voters in a midterm election year. And with that, the optics-obsessed president will be in his comfort zone — taking center stage in a massive show.

Nearly 18 months after Trump set in motion Justice Neil Gorsuch's nomination, the reality star-turned-president is more seasoned, more embittered and increasingly comfortable exerting his will over the machinery of government and his own staff. His upcoming "Supreme" show is the latest example of Trump's push to remake the federal bench with young conservative judges, a crusade he believes will energize GOP voters concerned about the state of the judiciary.

Trump is largely following the same playbook this time as when he successfully rolled out Gorsuch's nomination in January 2017. White House aides have strict instructions to keep information under wraps so Trump himself can make the big reveal. The president was gleeful when Gorsuch's name didn't leak out early.

"So was that a surprise?" Trump said, after announcing his decision.

Still, there are differences this time. In the last go-around, the White House relied heavily on outside consultants to push Gorsuch over the finish line. Despite a staff exodus that has left key vacancies across the West Wing, the White House this time is retaining more control over the nomination and confirmation processes. A war room of communications, legal and research staff has been assembled in the Eisenhower Executive Office Building to promote and defend the nominee.

Trump has reveled in building up suspense in the days leading up to his speech, offering fragments of information here and there but strategically keeping the guessing game alive. Drawn from a public list of 25 candidates approved by conservative groups, the president's top contenders include federal appeals court

judges Brett Kavanaugh and Raymond Kethledge, with judges Amy Coney Barrett and Thomas Hardiman still considered in the mix. The White House has been preparing confirmation materials on all four.

Speaking to reporters Thursday on Air Force One, Trump was coy.

"I don't want to say the four," he said. "But I have it down to four."

Past announcements of Supreme Court nominees were not made in prime time. President Barack Obama announced the selection of Justices Elena Kagan and Sonia Sotomayor from the White House during the day.

More than 33 million viewers watched Trump announce Gorsuch last year. The audience edged the 31.3 million who watched Obama's final State of the Union address but was dwarfed by the 56.5 million who saw Obama announce the killing of Osama bin Laden in 2011, among the decade's most-watched presidential speeches.

The theatrics surrounding Trump's court selection should come as no surprise. His presidency is rife with made-for-TV moments. With Trump, a Cabinet meeting becomes a freewheeling speech to the nation, and a walk to Marine One turns into an impromptu news conference. He recently strode out the door of the White House to participate in a Fox News live broadcast from the driveway. And his Singapore summit with North Korean leader Kim Jong Un was staged as a massive media event.

"Everything Trump does gets more sensational than with past presidents," said Jeffrey McCaul, a communications professor at DePauw University. "I'm sure he's hoping for a huge prime-time audience, and he'll probably get it."

Trump has also packed his administration with cable television veterans. National security adviser John Bolton is a former Fox contributor, and economic adviser Larry Kudlow is a former CNBC personality. Trump's latest White House addition is former Fox News executive Bill Shine, the new deputy chief of staff for communications.

Theatrics aside, advisers stress that Trump's judicial selection process has been serious. He interviewed six top prospects and has been reviewing his options with lawmakers and outside advisers. In addition, Vice President Mike Pence met in person with Kethledge, Barrett and Kavanaugh, said a person familiar with the process who was not authorized to speak publicly and spoke on condition of anonymity.

In an administration light on policy achievements, the president often views media attention — and positive headlines — as a victory unto itself.

But Trump recognizes that the court pick offers both sizzle and substance, giving him the opportunity to tip the balance on the court toward conservatives for decades.

Douglas Brinkley, a history professor at Rice University, said the nomination has the added benefit of dominating the news, potentially overshadowing coverage of migrant children separated from their parents at the border.

Said Brinkley: "It's been a tough summer until this gift that Kennedy gave him."

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Trump's Top Four Candidates To Succeed Justice Anthony Kennedy On The Supreme Court

By Melissa Quinn

[Washington Examiner](#), July 8, 2018

As President Trump enters the final hours before he announces his nominee to the Supreme Court, the president is weighing the merits of the judges who have emerged as his top candidates.

Trump is scheduled to name Justice Anthony Kennedy's replacement on the high court during a prime-time announcement Monday, capping off a week of interviews and jockeying — both behind the scenes and in public — by the top candidates' supporters and detractors.

The president vowed to choose his Supreme Court nominee from a list of 25, but four contenders, all federal appeals court judges, reportedly remain the top candidates: Judges Brett Kavanaugh, Amy Coney Barrett, Thomas Hardiman, and Raymond Kethledge.

Kavanaugh emerged as the front-runner early in the week, but several reports Sunday indicated Trump was gaining interest in Hardiman, a judge on the 3rd U.S. Circuit Court of Appeals and the runner-up to Neil Gorsuch, who Trump selected to fill the late Justice Antonin Scalia's seat on the Supreme Court last year.

But the president could still change his mind on a nominee ahead of Monday night's reveal, the New York Times reports, as the president had good things to say about Barrett, a judge on the 7th U.S. Circuit Court of Appeals and a favorite of social conservatives. Kavanaugh, a judge on the U.S. Court of Appeals for the District of Columbia Circuit, also reportedly remains a contender.

Senate Majority Leader Mitch McConnell, meanwhile, told Trump in a phone call Friday that Kethledge, a judge on the 6th U.S. Circuit Court of

Appeals, and Hardiman may present the easiest paths to Senate confirmation, according to the New York Times.

Trump was tasked filling his second vacancy on the Supreme Court after Kennedy announced his retirement late last month.

The president spent the last week interviewing candidates, meeting with four possible nominees Monday and interviewing a total of seven. On Thursday, Trump told reporters aboard Air Force One he had narrowed his list of candidates down to four, saying "they're all outstanding."

Trump spent the weekend at his private club in Bedminster, N.J., where he played golf, but did not have any public events on his schedule. His highly anticipated reveal of his Supreme Court nominee is expected to come Monday at 9 p.m.

Here are the four candidates Trump is said to be considering:

Amy Coney Barrett, 7th U.S. Circuit Court of Appeals

Barrett, 46, is a mother of seven children who Trump nominated to the 7th Circuit last year.

Her confirmation fight catapulted her to stardom among conservatives after she faced questions from Sen. Dianne Feinstein, D-Calif., about the role her Catholic faith would play in her judicial rulings. During her exchange, the senator told Barrett "the dogma lives loudly within you, and that's of concern."

She was ultimately confirmed by the Senate in October.

Barrett graduated from Rhodes College and Notre Dame Law School. She clerked for Judge Laurence Silberman on the D.C. Circuit and Scalia on the Supreme Court.

The jurist, though, has a relatively thin judicial record, having spent most of her career as a professor at Notre Dame Law School.

If selected by Trump, Barrett is likely to face scrutiny from Senate Democrats for her views on Roe v. Wade and the Affordable Care Act, as she signed a letter opposing Obamacare's contraception mandate and the Obama administration's accommodation for religious institutions.

She will also likely face questions about her academic writings, including at least one that focused on precedent.

Thomas Hardiman, 3rd U.S. Circuit Court of Appeals

Hardiman, 53, was a finalist during Trump's search for a Supreme Court justice last year.

If he is selected this year and confirmed by the Senate, Hardiman would add educational diversity to the Supreme Court, arriving as the only justice without an Ivy

League degree. Hardiman graduated from the University of Notre Dame and Georgetown University Law Center.

Hardiman is the first member of his family to graduate from college and drove a taxicab to help pay for his law degree.

Unlike the other contenders, Hardiman did not clerk for a Supreme Court justice.

Hardiman served as a federal district court judge in Pennsylvania before he was tapped to the 3rd Circuit in 2006. He was confirmed unanimously by the Senate in 2007.

Hardiman served on the 3rd Circuit with Trump's sister, Maryanne Trump Barry, who reportedly advocated for his nomination behind the scenes.

Through his tenure on the federal bench, Hardiman has had a conservative judicial record. He voted to strike down a New Jersey law requiring residents to show a "justifiable need" to carry a handgun in public, saying the measure "contravenes the Second Amendment."

He also joined the majority in tossing out the conviction of a man arrested during an anti-abortion protest. The three-judge panel on which Hardiman sat vacated the conviction "because it was obtained in violation of his First Amendment right to free speech."

Early in his career, Hardiman did pro bono work on behalf of immigrants and told senators in 2003 one case involving an immigrant from El Salvador seeking political asylum was "one of the most important cases I have ever handled."

Brett Kavanaugh, U.S. Court of Appeals for the District of Columbia Circuit

Kavanaugh, 53, has served for 12 years on the D.C. Circuit, considered the second most-powerful court in the country.

He attended Georgetown Preparatory School, overlapping briefly there with Gorsuch. Kavanaugh went on to graduate from Yale College and Yale Law School.

Following his graduation from law school, Kavanaugh held a series of clerkships, clerking for Judge Walter Stapleton on the 3rd Circuit and Judge Alex Kozinski on the 9th Circuit. He went on to clerk for Kennedy on the Supreme Court.

Through his tenure on the D.C. Circuit, Kavanaugh has authored opinions in more than 280 cases as of the end of 2017, leaving him with an extensive record.

Last year, he dissented in a case that paved the way for an illegal immigrant teenager to have an abortion. Kavanaugh warned the majority's ruling was "ultimately based on a constitutional principle as novel as it is wrong: a new right for unlawful minors in U.S. government detention to obtain immediate abortion on demand, thereby barring any government efforts to

expeditiously transfer the minors to their immigration sponsors before they make that momentous life decision."

He also dissented in the 2011 case *Heller v. District of Columbia*, which challenged D.C.'s ban on semi-automatic rifles and required registration of all firearms. Kavanaugh said he believed the measure was unconstitutional.

In 2016, Kavanaugh ruled the Consumer Financial Protection Bureau's structure was unconstitutional.

Though Kavanaugh was an early front-runner, he faced criticisms from social conservatives for two rulings involving Obamacare, who said his opinions "upheld Obamacare." That characterization, however, was refuted by others.

In one case from 2011, Kavanaugh wrote in a dissent that under the Anti-Injunction Act, enacted in 1867, the court did not have jurisdiction in the case at the time. In the second case from 2015, Kavanaugh dissented from the denial of rehearing en banc, writing Obamacare complied with the Constitution's Origination Clause, "but not for the reason articulated" by the D.C. Circuit's three-judge panel.

Kavanaugh, if nominated, would likely face questions from Senate Democrats about his time working for independent counsel Kenneth Starr during President Bill Clinton's administration. He also authored a 2009 article for the Minnesota Law Review that called for Congress to enact a law allowing for civil suits and criminal investigations involving the president to be deferred while the president is in office.

Raymond Kethledge, 6th U.S. Circuit Court of Appeals

Kethledge, 51, joined the 6th Circuit in 2007, receiving confirmation by the Senate via voice vote.

The judge would, like Hardiman, bring educational diversity to the Supreme Court, having graduated from the University of Michigan and the University of Michigan Law School.

After graduation, he clerked for Kennedy on the Supreme Court.

Before joining the federal bench, Kethledge worked for Sen. Spencer Abraham, R-Mich., and in private practice.

Many conservative supporters have characterized Kethledge as "Gorsuch 2.0," in part because of his judicial philosophy, but also because he, like Gorsuch, is an outdoorsman.

Kethledge has garnered attention for a 2016 ruling in a case involving a Tea Party group that said it was improperly targeted by the Internal Revenue Service because of its political views. The three-judge panel of which Kethledge was a part ruled in favor of the group,

and, writing the majority opinion, Kethledge criticized the IRS.

He also joined the majority in a decision last year upholding a Michigan county's practice of opening its meetings with a prayer.

Like Gorsuch, Kethledge has criticized deference to executive branch agencies under the Chevron doctrine. Derived from the 1984 case *Chevron USA v. Natural Resources Defense Council*, the Chevron doctrine says that courts should defer to executive branch agencies' "reasonable" interpretation of a statute if it is ambiguous.

In a speech at his alma mater last year, Kethledge said he believes Chevron deference "has created a sense of entitlement among executive agencies."

His writing was praised by the Wall Street Journal in 2014, as the newspaper deemed his opinion in a case involving the Equal Employment Opportunity Commission "Opinion of the Year."

Trump Still Pondering Supreme Court Pick As Big Reveal Nears

By Catherine Lucey

[Associated Press](#), July 8, 2018

President Donald Trump on Sunday was still deliberating his decision on a replacement for Supreme Court Justice Anthony Kennedy as his self-imposed deadline for an announcement neared amid furious lobbying and frenzied speculation.

Trump, who spent the weekend at his New Jersey golf club, has not yet communicated a final choice, said a person familiar with his thinking who was not authorized to speak publicly. Trump has spent the weekend discussing his options with allies and will announce his pick at 9 p.m. Monday from the White House.

Savoring the suspense, Trump has sought to keep people guessing in the final hours, hoping to replicate his successful announcement of Justice Neil Gorsuch last year. The White House hoped to keep the details under wraps until he rolls out his pick from the East Room.

Top contenders for the role have included federal appeals judges Brett Kavanaugh, Raymond Kethledge, Amy Coney Barrett and Thomas Hardiman. The White House has been preparing information materials on all four, who were part of a longer list of 25 names vetted by conservative groups.

In his conversations over the weekend, Trump expressed renewed interest in Hardiman — the runner-up when Trump nominated Gorsuch, said two people with knowledge of his thinking who were not authorized to speak publicly. But Trump's final decision remained far

from clear, and the president wants to keep the guessing game going.

Trump has teased details of his process in recent days, saying Thursday that he was down to four people and "of the four people, I have it down to three or two." On Saturday, he tweeted that a "Big decision" was coming soon.

Republican Sens. Lindsey Graham of South Carolina and Roy Blunt of Missouri said Sunday that they believe any of the top four contenders could get confirmed by the GOP-majority Senate.

"I think we can confirm any of the four names being mentioned," Blunt said on NBC's "Meet the Press." "They're good judges. I think they'd be fine justices of the Supreme Court. I do think the president has to think about who is the easiest to get confirmed here. And I expect we will do that on sort of a normal timetable, a couple of months."

The president and White House officials involved in the process have fielded calls and messages and have been on the receiving end of public pleas and op-eds for or against specific candidates since Kennedy announced on June 27 that he would retire this summer.

Some conservatives have expressed concerns about Kavanaugh — a longtime judge and former clerk for Kennedy — questioning his commitment to social issues like abortion and noting his time serving under President George W. Bush as evidence he is a more establishment choice. But his supporters cite his experience and wide range of legal opinions. Barrett has excited social conservatives since she was questioned about her Roman Catholic faith in her nomination hearings last year, but her brief time on the bench has raised questions.

Outside adviser Leonard Leo, currently on leave from the Federalist Society, said on ABC's "This Week" on Sunday that this kind of jockeying is standard, noting that "every potential nominee before announcement gets concerns expressed about them by people who might ultimately support them."

Leo said: "Brett Kavanaugh and Amy Barrett have a lot of name recognition among supporters of the president, and I think that ultimately when people like them are nominated, you'll see a lot of folks line up."

Of the other two, he added: "Ray Kethledge and Tom Hardiman, they're a little bit less known by conservatives. And their records are a little bit lighter. So, it might take some time."

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Trump Weighs Top Picks For Supreme Court Amid Last-minute Maneuvering

By Robert Costa And Robert Barnes

[Washington Post](#), July 8, 2018

President Trump said he was “close” to choosing a Supreme Court nominee Sunday after a weekend at his New Jersey golf club evaluating four leading candidates and mulling the likely response of key senators and his core supporters to each prospect, according to White House officials and Trump advisers involved in the discussions.

Over rounds of golf with friends, meals with family, and a flurry of phone calls and meetings with aides, Trump remained coy about his final decision, which is expected to be announced Monday evening from among the four federal judges atop his shortlist: Brett M. Kavanaugh, Thomas Hardiman, Raymond Kethledge and Amy Coney Barrett.

“I’m very close to making a decision,” Trump told reporters Sunday afternoon. “Have not made it official yet. Have not made it final.”

He added: “It’s still — let’s say it’s the four people. But they’re excellent. Every one. You can’t go wrong.”

Hardiman, a runner-up when Trump chose Neil M. Gorsuch as his high court nominee last year, received a wave of new attention in the weekend discussions, according to two people briefed on the matter but not authorized to speak publicly about it.

But White House officials cautioned Sunday that Trump’s informal conversations with golf partners and friends did not necessarily hint at whom he would ultimately select, a decision that could tilt the bench to the right for decades.

At various times, Kavanaugh, Barrett and Kethledge have been seen as the leading candidates. Trump likes the suspense: With a showman’s sense of timing, he boasted last year that he kept Gorsuch’s selection closely held until the prime-time announcement.

But some involved in the process said the situation is more fluid this time than it was with Gorsuch.

This weekend, Trump recounted how close he came last year to selecting Hardiman, who was recommended by the president’s sister and sometimes-confidante, retired federal judge Maryanne Trump Barry. She served with the Pennsylvania-based Hardiman on the U.S. Court of Appeals for the 3rd Circuit.

And Hardiman’s working-class roots — he drove a taxi during his days as a law student at Georgetown University — have been cited as a plus inside the White House, along with his conservative rulings. His boosters, sensing this weekend that Hardiman could be ascending

on the president’s list, have been busy making phone calls to friends in Trump’s inner circle.

“He’s got a story that’s compelling beyond the taxicab,” former senator Rick Santorum (R-Pa.), a friend of Hardiman’s, said in an interview. “I’m talking to people about his service work with his church in West Virginia and about how he has helped people seeking asylum from communist countries. He speaks Spanish. His wife comes from a Democratic family, and he knows how to engage with all kind of people, not just Republicans.”

Kavanaugh, who lives in the Maryland suburbs, serves on the U.S. Court of Appeals for the District of Columbia Circuit; Michigan’s Kethledge is on the 6th Circuit; and Indiana’s Barrett is on the 7th Circuit.

Senate Majority Leader Mitch McConnell (R-Ky.), who will lead the confirmation fight on Capitol Hill, spoke with Trump by phone Friday, according to two Republican officials briefed on the exchange.

The officials underscored that McConnell did not push any choice on the president. But, they said, McConnell did note that Hardiman and Kethledge could fare well in the Senate because their reputations and records were not as politically charged as others on the president’s shortlist of nominees.

A McConnell spokesman declined to comment. The New York Times first reported McConnell’s call with Trump.

Kavanaugh, like Kethledge, is a former clerk to retiring Justice Anthony M. Kennedy. His addition last fall to the list of potential Supreme Court nominees was seen by many as a way to make Kennedy more comfortable about retiring. Some see him still as the leading candidate.

But Kavanaugh’s tenure in George W. Bush’s White House as staff secretary — a senior position that controls documents moving across the president’s desk — has emerged as a last-minute snag.

Trump has privately and repeatedly questioned whether Kavanaugh’s work for the Bush family — a family whose members have deeply criticized the president and are pillars of the Republican establishment — could tarnish his brand or pose a problem for his core supporters.

Trump, who closely monitors media coverage, has also tracked criticism of Kavanaugh from some social conservatives who see his rulings on health care and abortion as lacking ideological zeal.

One person who is close to Trump said the “Bush factor” could be the chief reason if Kavanaugh is passed over.

If Barrett is not selected this time, White House officials said she would remain on the list for a future vacancy.

Kennedy's retirement has given conservatives their first hope in decades for a court that would strike down *Roe v. Wade*, the landmark decision that legalized abortion nationally. But at the moment, it is liberals who are focused on making this a galvanizing issue.

In interviews on Sunday's talk shows, supporters of a conservative court pick played down the possibility that the president's nominee would sink *Roe*.

Leonard Leo, a Federalist Society leader who has helped vet the nominees on Trump's public shortlist, used an interview on ABC News's "This Week" to accuse opponents of any nominee of diversion.

"We only have a single individual on the court who has expressly said he would overturn *Roe*," Leo said, referring to Justice Clarence Thomas, the only one on the current bench to have voted against the 1992 *Planned Parenthood v. Casey* decision reaffirming *Roe*. "So I think it's a bit of a scare tactic and rank speculation more than anything else."

During the 2016 campaign, and in subsequent interviews, Trump repeatedly assured conservative voters that his nominees would scrap the 45-year-old *Roe* decision.

In 2016, he told Fox News's Chris Wallace that *Roe* would be overturned if he got to appoint "two or three" justices, "because I am putting pro-life justices on the court." Kennedy had effectively preserved *Roe* by joining the controlling opinion in *Planned Parenthood v. Casey*.

"He is certainly the first major-party nominee who went on to be president to put a litmus test on Supreme Court justices, and that was to actually overturn *Roe v. Wade*," Ilyse Hogue, president of NARAL Pro-Choice America, said of Trump on Fox News. "We believe him."

While public polling on abortion finds support for a number of potential abortion restrictions, the popularity of *Roe* itself remains high.

"The vast majority of American people, shown by poll after poll, want *Roe v. Wade* to be preserved," Sen. Richard Blumenthal (D-Conn) said on ABC News's "This Week." "They want protections [in securing health insurance] for millions of Americans against preexisting conditions to be sustained. They want these voting rights and gay rights and other rights to be not only preserved, but also enhanced."

Democrats hope to put pressure on Sen. Susan Collins (R-Maine) and Sen. Lisa Murkowski (R-Alaska) to protect *Roe*. If neither senator breaks, Democrats still believe that they can drive down public support for the nominee by focusing on threats to abortion rights, gay rights, the Affordable Care Act and environmental regulations — even in Indiana, North Dakota and West

Virginia, red states whose Democratic senators backed Trump's first Supreme Court nominee, Neil M. Gorsuch.

The conservative groups doing the most public messaging about the court fight have so far avoided discussing particular issues. In an ad running in red states represented by Democrats, the Judicial Crisis Network's messaging closely resembles Leo's; it suggests generically that Democrats should let Trump confirm "another great justice" who would respect the Constitution.

On "Fox News Sunday," Sen. Lindsey O. Graham (R-S.C.) also stayed away from any of the issues that might come before the court, emphasizing that Democrats in states won by Trump would be under considerable pressure to approve any nominee.

"Red-state Democrats are going to have a very hard decision, and I hope every Republican will rally behind these picks, because they are all outstanding," Graham said.

David Weigel, Felicia Sonmez and Seung Min Kim contributed to this report.

Trump Giving A Fresh Look To Thomas Hardiman For Supreme Court

By Maggie Haberman, Michael S. Schmidt And Adam Liptak

[New York Times](#), July 8, 2018

President Trump is expressing fresh interest in Judge Thomas M. Hardiman, the runner-up for last year's Supreme Court vacancy, as he pushes his decision on a replacement for Justice Anthony M. Kennedy into the final hours before his self-imposed deadline of Monday night, three people close to the process said.

All cautioned that Mr. Trump could go a different way before he reveals his choice in a prime-time address on Monday. He has said positive things to associates about Judge Amy Coney Barrett, a staunch social conservative, the people familiar with the process said, and he has not ruled out Judge Brett M. Kavanaugh, a former staff secretary to George W. Bush.

But they said he found Judge Hardiman's personal story to be compelling. Judge Hardiman was the first member of his family to graduate from college, and he helped pay for his education by driving a taxi.

Judge Hardiman has also had an important supporter within the Trump family. He served with Judge Maryanne Trump Barry, Mr. Trump's sister, on the United States Court of Appeals for the Third Circuit, in Philadelphia. Judge Barry recommended Judge Hardiman to her brother last year as a good choice for the court, according to two people close to Mr. Trump.

Judge Hardiman has a conservative judicial record and less baggage than some of the other contenders. He has voted to expand gun rights and to restrict court challenges from immigrants. But he has not taken public positions on other legal controversies, including abortion and affirmative action.

Mr. Trump is said to have pared his options down to four prospective justices, and Judge Hardiman was a late addition to the grouping last week. His status as the runner-up to Justice Neil M. Gorsuch last year had made his chances seem dim this time around.

The only judge among the four whom the president appears to have all but ruled out is Raymond M. Kethledge. People close to the process said the president had found him likable but comparatively dull. And some conservatives, whose support has guided Mr. Trump's thinking about the courts, have voiced concern about Judge Kethledge on issues like immigration.

Judge Kavanaugh, who had been viewed as the front-runner, is still in contention, the people close to the process said, but Mr. Trump is struggling to get past his connection to the Bush family. Mr. Trump and Jeb Bush exchanged harsh criticism during the 2016 primary, and the president has remained suspicious about the Bushes.

Judge Kavanaugh has been the subject of an intense campaign of criticism by some conservatives, who have called his decisions in abortion and health care cases insufficiently conservative.

Judge Barrett appeals to the president, the people briefed said, as representing a political statement that could galvanize the conservative base. But Mr. Trump has been told by some advisers that he could choose her later, should Justice Ruth Bader Ginsburg, 85, leave the court.

Senator Mitch McConnell, the top Senate Republican, has cautioned Mr. Trump that Judge Hardiman and Judge Kethledge would be the safest picks in terms of Senate confirmation, a process that may have to take place without any Democratic support.

He has said the extensive paper trail that Judge Kavanaugh has left as a White House staff secretary and a judge could give Democrats a cudgel to slow the process and prevent the judge from being seated by the start of the October session of the court.

People close to Judge Kavanaugh have rejected that criticism, saying that he had been included in, but had not created himself, the bulk of the documents related to his time as staff secretary. But it has given Mr. Trump a possible reason to avoid appointing someone he is not completely comfortable with.

Supporters of Judge Hardiman, who turned 53 on Sunday, also say he would have an easier time getting confirmed than some of the other contenders.

Judge Kavanaugh would face questioning, for instance, about his service under Kenneth W. Starr, the independent counsel who investigated President Bill Clinton. And Judge Barrett would face opposition from abortion rights groups, given her academic writings, which included skepticism about how established *Roe v. Wade*, the 1973 decision enshrining a constitutional right to abortion, was as a constitutional precedent.

Judge Hardiman's appointment would bring some educational diversity to a Supreme Court awash in Ivy League diplomas. Judge Hardiman attended the University of Notre Dame and Georgetown University Law Center.

He left a good impression when he was a finalist last year. "People loved Tom Hardiman," a White House official said at the time. "He was super personable."

On Sunday, Mr. Trump remained at his residence at his private golf club in Bedminster, N.J., playing golf and taking calls about the looming Supreme Court nomination. Mr. Trump is set to announce the decision at 9 p.m. on Monday.

In an interview on ABC's "This Week" on Sunday morning, Leonard Leo, one of the president's key outside advisers on judges, said Mr. Trump was aware that his commitment to conservative judges was significant to his victory in 2016.

"What drives the president in this process is that he made the Supreme Court a huge issue in the election, more than any other presidential candidate," Mr. Leo said. "He greatly enthused voters over it, and it was one of the big factors that led to his election and holding the U.S. Senate. And so he kept that momentum going with Neil Gorsuch, and now he's got another opportunity to do it again."

Trump Legal Adviser Talks Up Kavanaugh And Barrett For Supreme Court

By Caren Bohan, *USA Today*

[USA Today](#), July 8, 2018

Two candidates on President Donald Trump's list of potential Supreme Court nominees — federal appeals court judges Brett Kavanaugh and Amy Coney Barrett — were singled out for praise Sunday by a top legal adviser to the president, in an indication they remain prominent in the search.

Trump plans to announce his pick to replace retiring Justice Anthony Kennedy during prime time on Monday night. The president also has been considering

federal appeals court judges Raymond Kethledge and Thomas Hardiman.

Leonard Leo, who is on leave from the Federalist Society and has been advising Trump over the court nomination, said he assumes that Kavanaugh, Barrett, Hardiman and Kethledge "are the four" who are getting the most focus.

"Certainly, Brett Kavanaugh and Amy Barrett have a lot of name recognition among supporters of the president, and I think that ultimately when people like them are nominated you'll see a lot of folks line up," he said.

Leo said Hardiman of Pennsylvania and Kethledge of Michigan are "a little bit less known by conservatives. And their records are a little bit lighter." He said that might mean it could take more time to generate the same level of conservative enthusiasm behind them.

Senate Majority Leader Mitch McConnell, R-Ky., told Trump that he believes Kethledge and Hardiman might be easier for the Senate, to confirm, The New York times reported, citing Republican officials briefed on the conversations.

The battle for Senate confirmation of Trump's Supreme Court pick is expected to be one of the most intense ever, with conservative and liberal interest groups poised to spend tens of millions of dollars in advertising and grass-roots activity.

Any of the candidates on Trump's short list would likely move the court to the right. While Kennedy is a conservative, he was often a swing vote on big decisions, such as same-sex marriage, abortion and affirmative action.

Republicans control the Senate by a 51-49 majority, making any efforts by Democrats to thwart Trump's nominee an uphill battle. The liberals' effort likely will focus on moderate GOP senators, such as Maine's Susan Collins and Alaska's Lisa Murkowski, who might be wary of adding a hard-line conservative and risking decades-old precedents such as *Roe v. Wade*, which legalized abortion in 1973.

Conservatives will focus on moderate Democrats running for re-election in Trump country, such as Indiana's Joe Donnelly, North Dakota's Heidi Heitkamp and West Virginia's Joe Manchin.

Kavanaugh, 53, on the U.S. Court of Appeals for the District of Columbia Circuit, is a favorite of the conservative legal establishment because of his long record on issues ranging from the separation of powers and executive privilege to abortion, immigration and gun rights.

But his work on President Bill Clinton's impeachment, his close ties to President George W. Bush and his ruling on President Barack Obama's health

care law, which he opposed on procedural rather than broader legal grounds, have raised concerns among some conservatives.

Barrett of Indiana, 46, serves on the U.S. Court of Appeals for the 7th Circuit. She rocketed to the top of Trump's earlier list of 25 Supreme Court candidates with her performance during her confirmation hearing last fall, when Democrats cited her deep Catholic faith as a potential problem. She is the mother of seven children, including two from Haiti and one with special needs.

Barrett spent much of her career as a law professor at the University of Notre Dame and has served as a judge for just eight months, which gives her the least experience of any of the potential nominees.

Trump Adviser Says Two Supreme Court Candidates Are Tougher Sell

By Joel Schectman

[Reuters](#), July 8, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Trump Adviser Confident SCOTUS Pick Will Get Confirmed Before Midterms

By Brett Samuels

[The Hill](#), July 8, 2018

An adviser to President Trump on judicial issues said Sunday that he believes President Trump's Supreme Court pick will be confirmed before the November midterm elections.

Leonard Leo, who is on leave from the Federalist Society to aide Trump in selecting a replacement for retiring Supreme Court Justice Anthony Kennedy, said on ABC's "This Week" that he's confident the president and Senate Majority Leader Mitch McConnell (R-Ky.) "can get anybody confirmed."

Leo brushed aside concerns from Democrats that the future of *Roe v. Wade* is at stake in the looming confirmation process. He called Democratic arguments that the potential nominee could overturn the law "a bit of a scare tactic."

Leo has argued that speculation over the future of *Roe v. Wade* is not new with a Supreme Court pick. He noted Sunday that "every nominee gets concerns expressed about them."

Trump is scheduled to announce his pick to replace Kennedy on Monday night. He will pick a candidate off of a pre-existing list of 25 candidates. He conducted interviews last week with at least seven candidates.

While the White House did not identify all of the interviewees, Trump's shortlist is thought to include federal appeals judges Brett Kavanaugh, Amy Coney Barrett and Raymond Kethledge, among others.

Leonard Leo, who helped craft Pres. Trump's short list of potential Supreme Court nominees, on whether it is fair to say that anyone on the list is likely to be an opponent of *Roe v. Wade*: "No, nobody really knows...it's a bit of a scare tactic"—This Week (@ThisWeekABC) July 8, 2018

Trump Adviser Dodges *Roe V. Wade* Question On Supreme Court Pick

By Mark Moore

[New York Post](#), July 8, 2018

The conservative, pro-life activist who has President Trump's ear as he decides on filling a Supreme Court vacancy predicted the nominee would be confirmed before the mid-term elections but sidestepped a question about whether the candidate would oppose *Roe v. Wade*.

"I'm very confident with this president's enthusiasm and with [Senate Majority] Leader McConnell's enthusiasm that they can get anybody confirmed," Leonard Leo, who is on leave from the Federalist Society to help the White House with the selection, told ABC's "This Week."

Asked by anchor George Stephanopoulos about Democrats' fear that the candidate selected will be opposed to the 1973 ruling legalizing abortion, Leo brushed it off as a "scare tactic."

"First of all, nobody really knows. We've been talking about this for 36 years, going all the way back to the nomination of Sandra O'Connor," he said. "So I think it's a bit of a scare tactic and rank speculation more than anything else."

Trump has reportedly narrowed his list to replace retiring Justice Anthony Kennedy to four candidates – Brett Kavanaugh, Amy Coney Barrett, Raymond Kethledge and Thomas Hardiman – and plans to make the big reveal in a prime-time telecast from the White House on Monday.

The president whittled the list from 25 names, selected and vetted by the hard-right leaning Federalist Society, after meeting the candidates individually and by talking to White House aides, conservative lawmakers and Vice President Pence.

Democratic Sen. Richard Blumenthal accused Trump of outsourcing his decision to the Federalist Society and other conservative groups.

"I've never seen a president of the United States in effect make himself a puppet of outside groups and

choose from a group of right-wing fringe ideologues that are prepared on this list," the Connecticut lawmaker said on ABC just moments after Leo's interview.

He said he believes that any of the four candidates on the short list will dismantle *Roe v. Wade* and other hard-fought rights.

"If you look at what the president said, which is he will nominate someone only if that person is committed to automatically overturn *Roe v. Wade*, if you look at what the president said about John Roberts, his berating Roberts for failing to strike down the Affordable Care Act, he certainly has criteria," he said.

Blumenthal acknowledged that the Democrats have few options to stop the confirmation in the Senate, which Republicans control by a 51-49 margin, but said they would plead their case to the American public.

"They want protections for millions of Americans against preexisting conditions to be sustained. They want these voting rights and gay rights and other rights to be not only preserved, but also enhanced," he said. "And I think we can take this call to action to the American people, take our case to them. Our colleagues know they're going to have to answer to history for this vote."

Republican Sens. Lindsey Graham and Roy Blunt said they see smooth sailing ahead for Trump's nominee.

"Republicans are holding four lottery tickets and all of them are winners," Graham of South Carolina told "Fox News Sunday." "If you're a conservative Republican, the four people named ... are all winners and every Republican should embrace these picks."

Blunt of Missouri agreed.

"I think we can confirm any of the four names being mentioned," Blunt said on NBC's "Meet the Press." "They're good judges. I think they'd be fine justices of the Supreme Court. ... And I expect we will do that on sort of a normal timetable, a couple of months."

Supreme Court Talk Dominates Sunday Shows As Trump Nears Decision

By Brett Samuels

[The Hill](#), July 8, 2018

Republicans expressed optimism on Sunday that the Senate will confirm any of President Trump's expected nominees for the Supreme Court, while Democrats sharpened their arguments in response to reports that the president has zeroed in on a few potential nominees.

Trump is scheduled to announce his pick on Monday night to replace retiring Justice Anthony Kennedy. After interviewing at least seven candidates

last week, he has reportedly winnowed down his list of potential choices to four frontrunners: Amy Coney Barrett, Thomas Hardiman, Brett Kavanaugh and Raymond Kethledge.

Republicans commended each of the four judges on Sunday, lauding the potential nominees' qualifications and expressing confidence that Trump's pick could secure the Senate's confirmation before the November midterms.

"Republicans are holding four lottery tickets, and all of them are winners. If you're a conservative Republican, the four people named — particularly Thomas Hardiman, I'm glad he's on the list — are all winners, and every Republican should embrace these picks," Sen. Lindsey Graham (R-S.C.) said on "Fox News Sunday."

Leonard Leo, who is on leave from the Federalist Society to assist Trump in the Supreme Court nomination process and crafted the president's previously announced list of nominees, praised each of those four judges as "extraordinarily distinguished people."

"I'm very confident with this president's enthusiasm and with Leader McConnell's enthusiasm that they can get anybody confirmed," Leo said on ABC's "This Week."

Republicans outnumber Democrats in the Senate, 51-49. With Sen. John McCain (R-Ariz.) at his home in Arizona battling brain cancer. It would take just one Republican to vote "no" to upend the nomination.

But Graham said he expects Democrats running for re-election in states Trump won in 2016 will have to think carefully before rejecting the president's nominee.

"This is a nightmare for red-state Democrats to oppose a highly qualified nominee, and all four of these people are highly qualified, been on the court, know what they're doing, mainstream judges," Graham said. "So red-state Democrats are going to have a very hard decision."

Sen. Dick Durbin (D-Ill.), however, disputed the idea that November's midterms will play a pivotal role in any senator's vote on a Supreme Court nominee, saying the impending nomination is "about more than the next election."

"Beyond the procedure, beyond the gamesmanship, it is a life-and-death important decision to be made by this court on so many issues," Durbin said on NBC's "Meet the Press."

He and other Democrats on Sunday highlighted the stakes involved with Trump's future pick, painting the issue as a referendum on the Affordable Care Act and Roe v. Wade.

While Trump and his allies have downplayed whether the president is looking for a justice who will

overturn Roe v. Wade — the landmark Supreme Court decision that legalized abortion nationwide — Democrats have argued the point is moot because the judge will come from a list prepared by the Federalist Society and another conservative group, the Heritage Foundation.

"I've never seen a president of the United States in effect make himself a puppet of outside groups and choose from a group of right wing fringe ideologues that are prepared on this list," Sen. Richard Blumenthal (D-Conn.) said on "This Week."

Sen. Chris Coons (D-Del.), who sits on the Senate Judiciary Committee, told CBS's "Face the Nation" that he intends to meet with Trump's eventual nominee ahead of any confirmation vote, but acknowledged that the individual will come from a list "prepared for him by two right-wing activist groups."

Coons and Durbin tore into Senate Majority Leader Mitch McConnell (R-Ky.) for an inconsistent standard on holding Supreme Court hearings in election years.

While McConnell refused to even meet with then-President Obama's nominee Merrick Garland in 2016, the Kentucky Republican has said he will hold a vote this fall for Trump's nominee, ahead of November's midterms.

"Totally inconsistent," Durbin said. "He's either wrong the first time or wrong the second time. The net result is he's trying to play to his political advantage."

Despite objections from Democrats over the idea of even holding a vote, Republicans said Sunday they believe they will have no issue confirming any of Trump's four rumored frontrunners.

Sen. Roy Blunt (R-Mo.) said on "Meet the Press" that he believes the Senate can confirm Barrett, Hardiman, Kavanaugh, or Kethledge.

"I'm not sure I'm leaning anywhere on those four nominees. They're good judges. I think they'd be fine justices of the Supreme Court," he said. "I do think the president has to think about who is the easiest to get confirmed here and I expect we'll do that on sort of a normal timetable of a couple of months."

Graham: Supreme Court Candidates 'are All Winners'

By Louis Nelson
[Politico](#), July 8, 2018

The four judges believed to be in the running to be President Donald Trump's next nominee to the Supreme Court "are all winners," Sen. Lindsey Graham said Sunday, and will present a "nightmare" decision for red-state Democrats in the Senate.

"Republicans are holding four lottery tickets and all of them are winners," Graham (R-S.C.), a member of the

Senate Judiciary Committee, told "Fox News Sunday." "If you're a conservative Republican, the four people named — particularly Thomas Hardiman, I'm glad he's on the list — are all winners and every Republicans should embrace these picks."

Hardiman, a U.S. Court of Appeals judge for the Philadelphia-based Third Circuit, is one of four judges reported to be under consideration to replace retiring Supreme Court Justice Anthony Kennedy. Also reportedly under consideration are Amy Coney Barrett, a U.S. Court of Appeals judge for the Seventh Circuit; Raymond Kethledge, a U.S. Court of Appeals judge for the Sixth Circuit; and Brett Kavanaugh, a U.S. Court of Appeals judge for the District of Columbia Circuit.

Multiple media outlets have reported that Barrett, Kethledge and Kavanaugh are considered the top-three front-runners for Kennedy's soon-to-be-vacant seat, but Hardiman has also been mentioned with that group in some cases.

Democrats have demanded to no avail in the days since Kennedy announced his retirement that Senate Majority Leader Mitch McConnell (R-Ky.) not hold a vote to confirm any Supreme Court justice until after the upcoming midterm elections, allowing voters to have a say as McConnell insisted they should in the runup to the 2016 presidential election. McConnell has said he intends to confirm Kennedy's replacement on the court this fall, before a new crop of senators is seated next year.

Still, confirming a new Supreme Court justice could prove tricky for Republicans, who possess a narrow, 51-49 majority in the Senate and are missing Sen. John McCain (R-Ariz.), who is at home undergoing treatment for cancer.

Already, Sen. Susan Collins (R-Maine) has said she will not support a justice who would vote to overturn *Roe v. Wade*, the landmark case that legalized abortion nationwide. Sen. Lisa Murkowski (R-Alaska), another GOP lawmaker who has previously voiced support for abortion rights, will be another key vote.

Democrats, too, are likely to face a challenge in remaining unified against any Trump pick. Several Democratic senators, including Sens. Joe Donnelly (D-Ind.), Joe Manchin (D-W.Va.), Heidi Heitkamp (D-N.D.), Claire McCaskill (D-Mo.) and Jon Tester (D-Mont.), are seeking reelection this November in states where Trump won handily in 2016 against opponents who would likely make hay of any "no" vote on the president's nominee.

Donnelly, Heitkamp and Manchin all voted to confirm Neil Gorsuch, Trump's previous nominee to the Supreme Court.

"Here's the truth. Donald Trump could nominate George Washington or John Marshall and they couldn't

get through. Maybe a handful of Democrats will vote for a Trump pick because they have to politically," Graham said.

"There's nobody that President Trump could nominate from a conservative vent that will get many Democratic votes. But this is a nightmare for red-state Democrats, to oppose a highly qualified nominee, and all four of these people are highly qualified, been on the court, know what they're doing, mainstream judges."

Democrats Focus On Abortion In Court Fight, Sensing Republican Jitters

By David Weigel

[Washington Post](#), July 8, 2018

The retirement of Justice Anthony M. Kennedy has given conservatives their first hope in decades for a court that would strike down *Roe v. Wade*.

At the moment, liberals are much more happy to talk about that.

In interviews on Sunday's talk shows, and in conversations in one of this year's key electoral battlegrounds, supporters of a conservative court pick often stopped short of saying that the president's nominee, to be announced Monday, would sink *Roe*.

Leonard Leo, a Federalist Society leader who has helped vet the nominees on the president's public shortlist, used an interview on "Fox News Sunday" to accuse opponents of any nominee of diversion.

"We only have a single individual on the court who has expressly said he would overturn *Roe*," Leo said. "So I think it's a bit of a scare tactic and rank speculation more than anything else."

In an interview on NBC News's "Meet the Press," when asked about *Roe*, Sen. Roy Blunt (R-Mo.) said that "these judges, whichever one's nominated, should follow the Ginsburg strategy, which has been: no hints, no foretelling of how they're going to determine" controversial cases.

That was a reference to Justice Ruth Bader Ginsburg, who said during her 1993 hearing that it would be "wrong for me to say or preview in this legislative chamber how I would cast my vote." Conservatives have seized on that answer and called it "the Ginsburg rule" — but at another point in the hearing, Ginsburg said women had a "right to decide whether or not to bear a child."

During the 2016 campaign, and in subsequent interviews, President Trump repeatedly assured conservative voters that his nominees would scrap the 45-year-old decision that legalized abortion across the country. In 2016, he told Fox News's Chris Wallace that *Roe* would be overturned if he got to appoint "two or

three" justices, "because I am putting pro-life justices on the court." Kennedy had effectively preserved Roe by joining the majority in 1992's *Planned Parenthood v. Casey*; every judge on the Trump shortlist is seen as a likely vote against abortion rights.

"He is certainly the first major-party nominee who went on to be president to put a litmus test on Supreme Court justices, and that was to actually overturn *Roe v. Wade*," Ilyse Hogue, president of NARAL Pro-Choice America, said on Fox News. "We believe him. He's got a vice president who committed to, you know, throw Roe on an ash heap of history. So we think that's the mindset that many Americans are actually going into this with because it was such a vocal talking point for him."

After an initial burst of enthusiasm about the court opening, Republican politicians have characterized any questions about Roe's fate as scaremongering by Democrats.

On Friday, at a rally in Wisconsin where she was joined by House Speaker Paul D. Ryan, Republican U.S. Senate hopeful Leah Vukmir said Sen. Tammy Baldwin (D-Wis.) "has let our unborn down," specifically by skipping a vote on legislation that would ban abortion after 20 weeks of pregnancy. In a short scrum with reporters after the rally, however, Vukmir refused to say whether she wanted the Supreme Court to undo Roe or *Casey*.

"The left is trying to politicize this by bringing up this case, that case; will you undo this, undo that. My focus is on somebody who will stand for the Constitution," Vukmir said. "I'm not going to comment on those particular cases right now."

Vukmir, a longtime state senator and ally of Republican Gov. Scott Walker, is facing an Aug. 14 primary against Kevin Nicholson, a Marine veteran who leads in most public polling. In an interview this weekend, Nicholson said he would support judges who were likely to overturn Roe — but quickly suggested that anyone who wanted to keep abortion legal could wage that fight in state legislatures and Congress.

"I believe that life begins at conception, and any conservative jurist that I would support would believe the same," he said. "If the bench does what it should, then the pressure should be on legislators."

Wisconsin is one of 10 states carried in 2016 by Trump where a Democratic senator is facing reelection this year. It's also one of 20 states where an end to Roe would start a chain of events likely to restrict abortion rights; some states have "trigger laws" that would make abortion immediately illegal, while some have passed abortion limitations that are blocked by Roe.

While public polling on abortion finds support for a number of potential abortion restrictions, the popularity of

Roe itself remains high. As they've put together a campaign against the president's nominee, Democratic groups have found that informing voters of a looming threat to Roe — one that few saw as likely before the 2016 election — is one of their strongest messages.

"The vast majority of American people, shown by poll after poll, want *Roe v. Wade* to be preserved," Sen. Richard Blumenthal (D-Conn) said on ABC News's "This Week." "They want protections for millions of Americans against preexisting conditions to be sustained. They want these voting rights and gay rights and other rights to be not only preserved, but also enhanced."

On CBS News's "Face the Nation," Sen. Christopher A. Coons (D-Del.) echoed Blumenthal, saying the next Supreme Court nominee could get the chance to undermine the Affordable Care Act and "reproductive freedom."

Democrats, bearish on their chances of stopping any nominee, believe they can put pressure on Sen. Susan Collins (R-Maine) and Sen. Lisa Murkowski (R-Alaska) if the nominee is on record wanting to end Roe. If neither senator breaks, Democrats still believe that they can drive down public support for the nominee by focusing on threats to Roe, gay rights, the ACA, or environmental regulation — even in Indiana, North Dakota and West Virginia, ruby-red states whose Democratic senators backed Trump's first Supreme Court nominee, Neil M. Gorsuch.

The conservative groups doing the most public messaging about the court fight have so far stayed away from discussing any issues. In an ad running in red states represented by Democrats, the Judicial Crisis Network's messaging closely resembles Leo's; it suggests that Democrats should let Trump confirm "another great justice" who would respect the Constitution, making no mention of the issues that might come before him or her.

On "Fox News Sunday," Sen. Lindsey O. Graham (R-S.C.) also stayed away from any of the issues that might come before the court, emphasizing that Democrats in states won by Trump would be under considerable pressure to approve any nominee.

"Red-state Democrats are going to have a very hard decision, and I hope every Republican will rally behind these picks, because they are all outstanding," he said.

Yes, Another Liberal SCOTUS Meltdown Is Coming...And It Could Be One For The Record Books

By Timothy Meads
Townhall.com, July 8, 2018

The first meltdown over the Supreme Court was epic. Justice Anthony Kennedy let the Trump White House know shortly after the official end of the 2017 term that he's out by the end of July. He's heading into retirement and creating a vacancy that gives conservatives the opportunity to have a solid majority on the Court. Of course, the Left went into full meltdown mode. From liberal journalists to former Clinton officials and strategists, it was a mix of flipping off Justice Kennedy and warning red state Democrats not to cave on whoever President Trump pick unless they're fine getting zero help from the national party. MSNBC's Chris Matthews even suggested that "vengeance" must be executed against this nominee, who will be revealed on July 9. Yeah, these people are still sour over Senate Republicans invoking the Biden rule over Merrick Garland's failed nomination.

CHRIS MATTHEWS: I think the Democrats, as I said a few moments ago, have to fight this tooth and nail. They have to use every process, opportunity, they have to stop this until next year, when we have a new Senate. We don't know whether the Senate will be Republican or Democratic-dominated. But to give this to the Republicans when they control this Senate basically 51, or 50 to 49 really, with John McCain perhaps not voting again – to give them this last chance to pack the court 5-4 again, hard conservative. I again, I say this, the base will attack the leadership for this if they allow it to happen and they should. Because this is time for vengeance for what happened two years ago. And if they don't wreak the vengeance now, with four and a half weeks – four and a half months to go before the election, they will not look very strong to their base and I think they'll be under attack and you'll see more Joe Crowley's go down.

We've been saying this all week, but the situation is shaky. It has to be done this year, which us what Senate Majority Leader Mitch McConnell (R-KY) has already stated is the course of action; hearings next month with a final confirmation vote in the fall. It'll be just in time for the midterms. Supreme Court nominees were very important to 21 percent of the 2016 electorate—and 56 percent of that slice broke for Trump. Tax cuts, the booming economy, the ability to have a solid conservative majority on the court for the next generation all should be issues that get the GOP base animated. Moreover, the notion that the Trump agenda, which has created another solid jobs report, three million jobs, the lowest unemployment rates in years, and the highest consumer and small business confidence ratings in decades, could end if Democrats takeover should scare any Republican to vote in November. In the Senate, it's quite possible that we end up with a 50-50 split. And

Sens. Murkowski (R-AK) and Susan Collins (R-ME) could defect, derailing Trump's nominee. Again, let's see what happens after Monday. Maybe one or two red state Democrats will defect as well. We'll see. But if the first meltdown over a SCOTUS retirement announcement was any taste of what's to come in this fight, just imagine when the Trump pick is finally revealed. It'll be a character assassination like no other. The Democrat-media complex has already tried to smear the potential nominees that have been floated around, as have actual Democrats, and they've backfired magnificently.

Dick Durbin: Blocking Trump's Supreme Court Pick More Important Than Red State Dems Getting Re-elected

By Daniel Chaitin

[Washington Examiner](#), July 8, 2018

A top Democrat in the Senate said his vulnerable colleagues from red states "understand" that fighting to stop President Trump's Supreme Court pick is more important than getting re-elected in 2018.

Senate Minority Whip Dick Durbin, D-III., was pressed on this "dilemma" that Democrats face as the 2018 midterms approach during an interview on NBC's "Meet the Press."

"Staying united to stop the Supreme Court pick could cost you red state senators. Not fighting it as hard might allow the red state senators to get re-elected and get Democrats in control of the Senate. That's your dilemma," host Chuck Todd posited on Sunday.

Durbin conceded that it is a dilemma "in one respect," but made that case for how it is a trade off Democrats are willing to make.

"It is a dilemma in one respect, but not in another. I will tell you, the men and women that I work with on the Democratic side really take this seriously. They understand it's an historic decision. It's about more than the next election," he said, adding that the issue is about setting the future course for the country.

Trump will reveal in a prime-time announcement Monday his pick to succeed Justice Anthony Kennedy on the Supreme Court.

Senate Democrats are urging Senate Majority Leader McConnell, R-Ky., to hold off on confirming Trump's Supreme Court nominee until after the midterm elections and the completion of special counsel Robert Mueller's investigation into Russian meddling in the 2016 election, as the nominee may hear cases on the Supreme Court arising from the inquiry.

There are 10 Democratic senators up for re-election in 2018, including vulnerable red state Democratic Sens. Joe Manchin from West Virginia, Heidi

Heitkamp from North Dakota, and Joe Donnelly from Indiana. The three were the only Democrats who voted to confirm Neil Gorsuch to the Supreme Court in 2017.

'The Super Bowl Of Politics': Trump's Team Readies For Supreme Court Battle

The White House expects to immediately hit the ground running once Trump makes his 9 p.m. announcement on Monday.

By Christopher Cadelago

[Politico](#), July 8, 2018

In a sparsely decorated "war room" next to the West Wing on the White House grounds, Trump administration officials have been preparing for the president's Supreme Court pick with an anything-can-happen approach to the historic task.

With the knowledge that President Donald Trump could change his mind at the last minute — and with the president's obsession to keep his final decision tightly held — Trump aides and Republicans familiar with the planning told POLITICO they initially were prepping for two possible nominees.

But as the president continued to talk through his decision over the long weekend at his Bedminster golf club in New Jersey, officials in Washington were poring over research and crafting media-ready soundbites for at least four potential picks.

Ahead of the announcement officials will begin circulating talking points and biographies of a "universe of people" for the court to Capitol Hill and outside allies.

The White House expects to immediately hit the ground running once Trump makes his 9 p.m. announcement on Monday, a time he selected for maximum TV exposure as anticipation grows around the pick. In the first 24 to 36 hours, they've mapped out what one aide described as a "meticulous approach" to promote and defend the nominee before opponents have time to define the person in a negative light, using their own words and rulings to rile up their ranks.

Regardless, aides know that Trump's selection will set off a tense political battle, and activists and Republicans close to the White House have long been positioning for it.

"This confirmation is going to be the Super Bowl of politics in 2018," said David Bozell, president of the conservative grass-roots organization ForAmerica. Bozell and others believe Trump himself will set the early tone of the process.

"The president has been, by and large, a salesman. And he's going to try to sell the pick," he added, referencing a phrase from "Glengarry Glen

Ross," the 1992 movie about real estate agents. "Always be closing.' That's his mentality."

Trump on Sunday afternoon made sure to stoke the suspense around his selection. "We are close to making a decision," the president told reporters, according to a pool report. "It's, well, let's just say it's the four people. Every one you can't go wrong. I'll be deciding tonight or tomorrow sometime by 12 o'clock and we're all gonna be meeting at 9 o'clock, and we have a great country folks."

Trump and political confidants view his successful seating of Supreme Court Justice Neil Gorsuch last year as one of the highlights of his time in office — and a major selling point to constituents as part of the "promises made, promises kept" motif he's been rolling out at recent rallies ahead of the fall midterms and 2020 reelection.

Would-be nominees getting the most attention through the interview process and coming out of the weekend are Judges Brett Kavanaugh, Amy Coney Barrett and Raymond Kethledge, as well as Thomas Hardiman, the president's runner-up to succeed the late Justice Antonin Scalia last year, who is said to be coming on strong after he and Trump hit it off, and amid vetting concerns about the others.

While Kavanaugh was depicted in the media as the early front-runner, privately some Republicans have expressed worries with how long it would take to produce documents about Kavanaugh's extensive judicial rulings for the Senate to overview. Democrats could request thousands of pages of documents and use the review of his voluminous record in the Bush administration to try and delay his confirmation. His work on the Starr Report dealing with President Bill Clinton's affair with intern Monica Lewinsky has also has been mentioned.

Kavanaugh overall has been an increasingly frequent target in recent days, though Barrett and Kethledge also are being scrutinized from the right, she for her short time on the federal bench and he for issuing opinions that don't sit well with anti-illegal immigration hawks. That has cracked the door wider for Hardiman, who has been somewhat of a stealth candidate for the role but comes highly recommended by Maryanne Trump Barry, the president's sister who serves on the 3rd Circuit alongside Hardiman.

Hardiman's personal story could be an asset for Trump, who is drawn to a strong narrative. He worked as a taxi cab driver while finishing his studies at the University of Notre Dame then went on to Georgetown University Law Center.

As the jockeying has intensified, aides and allies of the possible nominees — through the media, and other

venues — have been locked in what amounts to shadow campaigns on their behalf, disseminating glowing biographies, lists of sources with their contact information as well as documents meant to cast doubt on the character and judicial chops of their opponents.

The White House declined to officially comment.

With the rollout only hours away, some allies insist the administration can't merely rely presidential persuasion and the talents of its high court nominee this time.

A Republican involved in previous confirmation fights was careful to praise the White House counsel for helping focus the president on his list of 25 pre-vetted Supreme Court nominees and for getting Gorsuch confirmed.

"All that being said, they got incredibly lucky with the quality of the nominee in Neil Gorsuch," the GOP operative told POLITICO. "The operation that they had to support the nominee was not even a fraction of what previous administrations have done to support their nominees. It was smooth because the nominee carried himself."

The confirmation, which temporarily shuffled key staff after Justice Anthony Kennedy announced his retirement late in June, is being led by White House counsel Don McGahn, with Raj Shah handling communications. Some inside the West Wing believe the battle is already serving as a unifying force for an administration that has seen record departures at the highest levels and suffered from low morale among staffers who at times complain about the lack of a common purpose.

A person familiar with planning said the White House, including those working out of the makeshift war room of TVs and computers, has identified people to act as "sherpas" for the nominee, and expects to bring in a "big, external figure" on a par with Kelly Ayotte, the former Republican senator who filled the role for Gorsuch.

Through its Office of Public Liaison, officials also are enlisting scores of outside groups to help sell the public on Trump's choice for the high court. A top priority for many of the grass-roots organizations, group leaders say, is pressuring Democratic senators from red states up for reelection in 2018 to vote for the president's nominee.

"From the moment of the announcement to the confirmation vote, it will be a highly intense time communicating to a handful of senators and their constituents," said Marjorie Dannenfelser, president of Susan B. Anthony List, an anti-abortion group that's preparing to unleash a flurry of on-the-ground activity in the states.

"It's not going to take some complicated effort to get people involved. They are already chomping at the bit because this has been decades in the making."

Pro-Life Court Coalition, led by Dannenfelser's group, is setting its sights on Democratic Sens. Heidi Heitkamp of North Dakota, Joe Manchin of West Virginia and Joe Donnelly of Indiana.

"It could be the career-ending decision that they are making," she said of the upcoming vote. "It could be the career-igniting decision that they are making."

The senators will be hearing it from both sides.

Brian Fallon, executive director of Demand Justice, a group that plans to spend \$5 million opposing Trump's pick, said it also will focus on the Democratic senators, in addition to Republican Sens. Susan Collins of Maine and Lisa Murkowski of Alaska.

In the moments after Trump names his nominee, Demand Justice will reference the pick by name in its Maine and Alaska TV ads, and begin picking through extensive opposition research materials already gathered on Trump's list of 25 candidates.

The liberal group's message centers on its insistence that Trump's nominee will seek to overturn the landmark Roe v. Wade decision and to undermine the Affordable Care Act.

Concluded Fallon: "A lot of these people have things that illustrate the litmus test."

Burgess Everett contributed to this report.

How Trump And Two Lawyers Narrowed The Field For His Supreme Court Choice

By Joel Achenbach

[Washington Post](#), July 8, 2018

In early 2016, while working as Donald Trump's top campaign lawyer, Donald McGahn came up with a novel idea whose reverberations are still being felt. Although Trump was surging toward the GOP nomination, uncertainty about his ideology and how he would govern had unnerved many mainstream Republicans and social conservatives.

So McGahn conceived of a list. It would contain the names of people Trump would consider to replace the late Justice Antonin Scalia on the U.S. Supreme Court, one of the most important decisions facing the next president. By releasing the list publicly, Trump could reassure the GOP base.

The gambit helped Trump win the White House, and McGahn, now serving as White House counsel, is leading an aggressive campaign to reshape not only the Supreme Court but the entire federal judiciary. His list last year produced Justice Neil M. Gorsuch — and is

now playing a critical role in filling a second Supreme Court vacancy.

Following the retirement last month of Justice Anthony M. Kennedy, McGahn rapidly contacted judges on the list and brought them to interview with the president. When Trump announces his pick Monday night, the name will almost certainly be drawn from among the list's 25 contenders.

Trump told reporters last week he "could pick any of the 25, and they would be terrific. Those are very terrific people. The whole list is extraordinary."

While other presidents surely made such lists, the decision to publicize the result has no known precedent. Republican strategists say the list achieved the original goal of making conservative voters more comfortable casting their votes for a former reality TV star who was once aligned with Democrats.

"One of the smartest strategic moves Trump made during the campaign was putting this list together and putting it out publicly, which calmed the social conservatives," said Scott Reed, a veteran Republican strategist who managed former U.S. senator Robert Dole's 1996 presidential bid. "It was a brilliant strategy. And it worked."

Originally composed of 11 names, the list has since expanded to 25, becoming a Who's Who of conservative jurists. In addition to sending a message to voters, it has telegraphed to ambitious lower-court judges what kind of judicial opinions and résumés would impress the Trump White House.

Among the current round of apparent finalists, only one — Raymond Kethledge, a former Kennedy clerk now on the Cincinnati-based U.S. Court of Appeals for the 6th Circuit — was on the initial list of 11. Two others — Brett Kavanaugh, another former Kennedy clerk now on the powerful D.C. Circuit, and Amy Coney Barrett, a University of Notre Dame law professor nominated by Trump last year to the Chicago-based 7th Circuit — were added to the list last November.

As the list's curator, McGahn, 50, has played an outsized role in Trump's campaign to shift the Supreme Court to the right. A graduate of Widener Law Commonwealth in Harrisburg, Pa., McGahn is an expert on election law who served on the Federal Election Commission, spent 10 years as counsel to the National Republican Congressional Committee and practiced law at Patton Boggs and Jones Day, both high-profile Washington law firms.

Typically, the in-house lawyer at 1600 Pennsylvania Avenue shares responsibility for Supreme Court picks with the attorney general. But Trump's fraught relationship with his own Justice Department — which is overseeing special counsel Robert S. Mueller

III's investigation of possible collusion between the Russian government and the Trump campaign — has increased McGahn's importance.

"Don has taken more of a role in judicial and especially Supreme Court nominations than any prior White House counsel by far," said Michael A. Carvin, a partner at Jones Day and, like McGahn, an expert in election law. "Don's been the gatekeeper and the visionary on this from the middle of the campaign."

The White House did not respond to a written request to interview McGahn for this story.

At McGahn's side throughout the process has been Leonard Leo, executive vice president of the conservative Federalist Society. In an interview with The Washington Post, Leo recalled the earliest meeting about the list, when he, McGahn and Trump met in March 2016 at Jones Day.

After a few pleasantries, Leo recalled, they quickly got down to business. "We talked about what the process of judicial selection looked like during the Bush administration. We talked about the current composition of the court. Who was on the courts. Talked a little bit about Scalia. Talked about which people could potentially be on the list."

Leo has since taken a leave from the Federalist Society to work as an unpaid adviser on the latest Supreme Court nomination. He rejected what he called the "folklore" that he is calling the shots.

"Anybody who knows the president knows that he's in the driver's seat. He's the one who wanted the list. He's the one who owns the list," Leo said. "This is nobody else's list."

Describing Trump's judicial preferences, Leo said: "What he has always said consistently is he wants people who are extraordinarily qualified, he wants people who are, his words, 'not weak.' "

The Federalist Society, founded during the Reagan administration in 1982, advocates for "originalism" and "textualism" in the legal system, opposing judicial activism and the expansion of the "administrative state." Originalism holds that the Constitution should be interpreted according to what the words of the document meant when they were written. Textualism holds that judges should enforce the literal text of a statute and rule against evolving interpretations — for example, by unelected bureaucrats who craft regulations.

Last November, McGahn spoke at a Federalist Society gathering at the Mayflower Hotel, where he declared that Trump's judicial picks would adhere to the group's philosophy.

"He is selecting judges who will enforce the laws as written," McGahn said. "The Trump vision of the

judiciary can be summed up in two words: originalism and textualism."

In the speech, McGahn chided Republican political consultants, who initially feared, he said, that the list's endorsement of conservative judges would backfire when Trump faced Democrat Hillary Clinton in November 2016.

"Every consultant in Washington, D.C., said, as they said once a week, 'Oh, it's over. Can't do that, got to move to the middle, especially in that judge thing. Going to scare people.'

He also rejected the claim that the White House had outsourced the selection of judges to the Federalist Society, noting that he had been a member since his days at law school. "So, frankly, it seems like it's been in-sourced," he quipped.

In addition to keeping the Supreme Court list, McGahn is central to a broader process that so far has seated more than three dozen judges on the federal bench nationwide. In part because the Republican-controlled Senate had blocked nominees forwarded by Democrat Barack Obama, an unusually large number of federal judicial posts were vacant when Trump took office.

Given the age of the current Supreme Court — Justice Ruth Bader Ginsburg is 85 and Stephen G. Breyer will turn 80 this summer — it's entirely possible that Trump could name additional justices before his presidency ends. Though his tendentious tenure has been marked by Twitter rages, staff turnover and the dark cloud of the Russia investigation, the Supreme Court has offered a chance for slam-dunk political victories. Trump's decision to replace Scalia with Gorsuch was widely praised among the GOP establishment.

This second Supreme Court nomination is even more of a political opportunity. While Scalia was a steadfastly conservative vote, Kennedy was a swing vote who often sided with liberals on such closely divided issues as abortion rights, marriage equality and the constitutionality of the Affordable Care Act. Democrats are vowing to put up a fierce fight in Senate confirmation hearings, expected later this summer; Trump has said that he will entrust preparations for those hearings to McGahn.

Those who know him say McGahn has deftly managed his relationship with the president. He generally keeps a low profile, a wise move in a White House where Trump demands the spotlight.

But he also has earned a reputation as one of the few White House aides willing to say no to Trump. The New York Times reported in January that McGahn refused last year when Trump wanted him to order the

Justice Department to fire Mueller. The president denied that report, calling it "fake news."

Sam Nunberg, a former Trump campaign adviser, said McGahn "knows when to talk and when not to talk. He's not in Trump's face unless he has to be."

Like many in Trump's orbit, McGahn has been interviewed by Mueller, first in December 2017 and again this spring. Earlier this year, he considered leaving the White House to return to Jones Day.

But McGahn ultimately decided to stay — a decision that is now paying off handsomely, said Reed, the Republican strategist.

"He survived an incredibly turbulent 12 months," Reed said. Now "he's in a position to help land the plane again."

With Second Nomination, Trump Gets Rare Chance To Reshape Supreme Court

By Bradford Richardson
[Washington Times](#), July 7, 2018

President Trump is set to announce his Supreme Court pick Monday, appointing a jurist who has the chance to set the highest court on a new trajectory and deliver decisions to which conservatives have been looking forward for generations.

Issues ranging from abortion to the administrative state could be strongly influenced by the president's appointment, who will fill the seat vacated by the court's longtime swing vote, Associate Justice Anthony M. Kennedy.

Mr. Trump will reveal the nomination at 9 p.m. at the White House but told reporters on his way back to Washington from a weekend at his New Jersey golf club that he hadn't yet decided.

"I'm very close to making a final decision. And I believe this person will do a great job," he said.

Later, he tweeted that he was looking forward to the announcement and that an "exceptional person will be chosen!"

Leonard Leo, a vice president at the Federalist Society who is on leave to assist Mr. Trump, said the chance to nominate a second jurist in two years is the president's prize for making the Supreme Court a major selling point in the 2016 presidential race.

"What drives the president in this process is that he made the Supreme Court a huge issue in the election, more than any other presidential candidate, he greatly enthused voters over it," Mr. Leo said on ABC's "This Week." "And it was one of the big factors that led to his election and holding the U.S. Senate. And so he kept that momentum going with Neil Gorsuch, and now he's got another opportunity to do it again."

Mr. Trump was asked Sunday how many names he was considering and said, "Let's say it's the four people. ... They're excellent, every one. You can't go wrong."

The four names on the shortlist are reportedly Judge Amy Coney Barrett of the 7th U.S. Circuit Court of Appeals, Judge Thomas Hardiman of the 3rd U.S. Circuit Court of Appeals, Judge Brett Kavanaugh of the U.S. Court of Appeals for the D.C. Circuit, and Judge Raymond Kethledge of the 6th U.S. Circuit Court of Appeals.

The vacancy on the court could not have come at a worse time for vulnerable Senate Democrats from red states.

Heading into November midterm elections, lawmakers such as Sen. Heidi Heitkamp of North Dakota and Sen. Jon Tester of Montana face the difficult decision of whether to back Mr. Trump's nominee — which could help them win re-election, but at the cost of aggravating the Democratic Party's aggressive left wing.

Sen. Lindsey Graham, South Carolina Republican, said some Democrats could defect from the party. He said all four judges on Mr. Trump's shortlist are highly qualified to fill the vacancy on the highest court.

"This is a nightmare for red-state Democrats to oppose a highly qualified nominee, and all four of these people are highly qualified — been on the court, know what they're doing, mainstream judges," Mr. Graham said on "Fox News Sunday." "So red-state Democrats are going to have a very hard decision."

Republicans hold a narrow majority in the Senate, 51 to 49. They need only 50 votes to confirm Mr. Trump's nominee because Vice President Mike Pence would cast the deciding vote in the event of a tie.

The vote is complicated by the absence of Sen. John McCain, Arizona Republican, who returned home for treatment for brain cancer and hasn't voted in months. If Mr. McCain is not able to vote, only one Republican would have to defect to derail the confirmation, assuming the Democrats maintain perfect party discipline.

Every Republican voted last year to confirm Associate Justice Neil M. Gorsuch, who filled the vacancy left on the court by the late Antonin Scalia. In that vote, three Democrats — Ms. Heitkamp, Sen. Joe Manchin III of West Virginia and Sen. Joe Donnelly of Indiana — backed the Gorsuch pick.

A confirmation of Mr. Trump's nominee could give conservatives a reliable, long-term majority on the highest court.

Senate Minority Whip Richard J. Durbin, Illinois Democrat, said the choice of the next Supreme Court justice is too important for political considerations.

"It is a dilemma in one respect but not in another," Mr. Durbin said on NBC's "Meet the Press." "I will tell you the men and women I work with on the Democratic side really take this seriously. They understand it's an historic decision. It's about more than the next election. It's about what country — the United States of America — is going to chart as its course in the future on this Supreme Court. I think each and every one of them take that seriously, that personally. It goes beyond the next election."

Asked whether he would back Mr. Trump's pick, Sen. Doug Jones, Alabama Democrat, said he would make an "independent judgment" after reviewing the nominee's record.

"I don't think anyone should expect me to simply vote yes for this nominee just simply because my state may be more conservative than others," Mr. Jones said Sunday on CNN's "State of the Union." "I think even the people of Alabama like to make sure they have judges that adhere to the rule of law."

Sen. Richard Blumenthal, Connecticut Democrat, said the deck was already stacked when Mr. Trump consulted with the Federalist Society and The Heritage Foundation to create a list of 25 judges to fill future vacancies on the highest court.

"I've never seen a president of the United States, in effect, make himself a puppet of outside groups and choose from a group of right-wing fringe ideologues that are prepared on this list," Mr. Blumenthal said on ABC's "This Week."

Regardless of what red-state Democrats decide, Republicans are confident that they can pass whomever Mr. Trump nominates.

Mr. Leo said the judges on the president's shortlist are "extraordinarily distinguished people."

"I'm very confident with this president's enthusiasm and with Leader McConnell's enthusiasm that they can get anybody confirmed," Mr. Leo said on ABC's "This Week."

Sen. Roy Blunt, Missouri Republican, said all of the judges under consideration would be "fine justices of the Supreme Court."

"I think we can confirm any of the four names being mentioned," he said.

Catholics On The Court: The Historical Struggle Between Canon And Constitutional Law

By Michael S. Rosenwald
[Washington Post](https://www.washingtonpost.com), July 8, 2018

In late 1972, while drafting the Supreme Court's landmark *Roe v. Wade* decision legalizing abortion,

Justice Harry Blackmun asked fellow to review a section in the opinion concerning the Roman Catholic Church.

"Your judgment as to this will be most helpful," Blackmun wrote, according to a biography of Brennan.

Blackmun turned to Brennan for precise clarification of the church's position on abortion — vehemently opposed to it — because he expected his colleague would know it by heart. Brennan was the court's lone Catholic. And he was on Blackmun's side of history — to legalize abortion, the church's position be damned.

The story of Brennan's seminal role in legalizing abortion has been largely overlooked as President Trump considers two Catholic judges, Brett M. Kavanaugh and Amy Coney Barrett, as potential nominees to fill the pivotal swing seat being vacated by Justice Anthony M. Kennedy.

Brennan's pivotal role in legalizing abortion — persuading Blackmun and other justices to view it as a privacy issue — might prove particularly instructive, given Trump's campaign pledge to appoint justices who will overturn Roe. Given the current court makeup, one vote could flip the law on one of the country's most decisive issues.

[Trump makes clear Roe v. Wade is on the chopping block]

The court is now dominated by Catholics, with Kennedy, Chief Justice John G. Roberts Jr. and Justices Clarence Thomas, Sonia Sotomayor, Samuel A. Alito Jr. and Neil M. Gorsuch being raised in the church. But when President Dwight D. Eisenhower appointed Brennan in 1956, Protestants vastly outnumbered Catholics on the court.

The six Catholics on the court before Brennan included Roger B. Taney, who authored the decision in *Dred Scott v. Sandford*, which held that those of African descent could not be U.S. citizens. Many historians consider the ruling in *Dred Scott* to be the court's worst decision.

After the court ruled in Roe, some prominent Catholics compared the decision to *Dred Scott*. Some even called for Brennan to be excommunicated. In their biography of Brennan, Seth Stern and Stephen Wermiel wrote that the justice was "saddened to be singled out by members of his church."

Nobody should have been too surprised that he bucked canon law.

Eisenhower appointed Brennan during his reelection campaign in 1956. The Republican president and his political advisers thought that Brennan, a Catholic Democrat from New Jersey, would appeal to voters across the aisle, then lean conservative as a Catholic on the bench. A political twofer.

Brennan's appointment occurred when Congress was in recess, meaning he didn't need to be confirmed by the Senate. After Eisenhower won, he renominated Brennan, subjecting the justice to a confirmation hearing. Brennan's religion became a key issue, with some senators inquiring about how he could rule on constitutional issues while also maintaining allegiance to the pope and the Roman Catholic Church "on all matters of faith and morals."

This is how Brennan answered one senator:

Senator, I think the oath that I took is the same one that you and all of the Congress, every member of the executive department up and down all levels of government take to support the Constitution and laws of the United States. I took that oath just as unreservedly as I know you did, and every member and everyone else of our faith in whatever office elected or appointive he may hold. And I say not that I recognize that there is any obligation superior to that, rather that there isn't any obligation of our faith superior to that. And my answer to the question is categorically that in everything I have ever done, in every office I have held in my life or that I shall ever do in the future, what shall control me is the oath that I took to support the Constitution and laws of the United States and so act upon the cases that come before me for decision that it is that oath and that alone which governs . . .

Brennan was confirmed. He served 34 terms, becoming one of the court's most famous liberal stalwarts. In recounting the mistakes of his presidency, Eisenhower is said by some historians to have listed Brennan — though, as Wermiel pointed out in a law review article, no one has ever confirmed that Eisenhower made such a remark.

Still, Brennan is often used as an example of how Supreme Court nominees sometimes don't pan out as expected.

Or did he?

Wasn't he precisely the person he described himself to be during his confirmation hearing?

The biography by Stern and Wermiel, which drew heavily on interviews with Brennan, is illuminating on these questions. It turns out that Brennan was fundamentally and morally opposed to abortion. You read that correctly: The justice who helped persuade a majority of the court to legalize abortion found the practice unthinkable — personally, but not constitutionally.

"I wouldn't under any circumstances condone an abortion in my private life," he told the authors. "But that has nothing to do with whether or not those who have different views are entitled to have them and are entitled

to be protected in their exercise of them. That's my job in applying and interpreting the Constitution."

A Justice With A Record

Legal opinions are a better test for a nominee than personal biography.

By The Editorial Board

[Wall Street Journal](#), July 8, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

WATCH: Students Bash Trump's Unannounced SCOTUS Pick

By Katherine Rodriguez

[Breitbart](#), July 8, 2018

New York University students expressed their dismay over President Trump's pick to replace Associate Justice Anthony Kennedy on the Supreme Court—the only problem is, Trump has not announced his pick yet.

Campus Reform's Cabot Phillips interviewed several students at New York University about Trump's pick to replace Kennedy, and several students voiced their disapproval of Trump's yet-to-be-announced choice.

"He's quite extreme in his views and I don't know if it would make the Supreme Court very even," one student said.

Several other students called Trump's nominee "a racist," and one student even went as far as comparing Trump's eventual nominee and everyone in the Cabinet to the Ku Klux Klan.

"His entire cabinet and everyone he's chosen has been the white supremacist legion of doom, and it's dangerous to everyone who looks like me," the student said. "They should all wear white hoods and burn crosses."

Another female student called Trump's Supreme Court pick an abuse of the president's power.

Trump tweeted Saturday that he will announce his choice to succeed Kennedy soon, and he previously told reporters that he would announce his pick on July 9.

Big decision will soon be made on our next Justice of the Supreme Court!

— Donald J. Trump (@realDonaldTrump) July 7, 2018

Michelle Wolf: 'God Bless Abortions And God Bless America'

By Daniel Chaitin

[Washington Examiner](#), July 8, 2018

Comedian Michelle Wolf saluted abortions on her Netflix show, declaring at the end of a sketch, "God bless abortions and God bless America," while donning the colors of the American flag and tossing confetti.

In the clip for the July 4 week episode of "The Break with Michelle Wolf," published Sunday on YouTube, Wolf decried President Trump's forthcoming Supreme Court pick as someone who would be "almost certain" to rule in favor of overturning *Roe v. Wade*, the landmark 1973 ruling that made abortion legal nationwide.

"Look, access to abortion is good and important," Wolf said. "Some people say abortion is 'killing a baby.' It's not. It's stopping a baby from happening. It's like 'Back to the Future' and abortion is the DeLorean. And everyone loves DeLoreans."

Wolf also condemned people who identify as "pro-life."

"Pro-life is a propaganda term that isn't real, like healthy ice cream and handsome testicles," she said, adding that "anti-abortion" is more accurate, but that it is synonymous with "anti-woman."

"If these people were actually pro-life, they would be fighting hard for healthcare, child care, education, gun control, and protecting the environment," Wolf said.

Wolf previously made waves with a groan-inducing joke about abortion during the White House Correspondents' dinner in April that centered on Vice President Mike Pence's anti-abortion stance.

"He thinks abortion is murder," Wolf said, "which, first of all, don't knock it 'til you try it — and when you do try it, really knock it. You know, you've got to get that baby out of there. And yeah, sure, you can groan all you want. I know a lot of you are very anti-abortion. You know, unless it's the one you got for your secret mistress."

The vulgar comedy routine drew a wave of backlash, particularly from conservative figures upset with the abortion joke.

Trump's Economic Gamble: Solid Job Gains Vs. Risky Trade War

By Josh Boak

[Associated Press](#), July 8, 2018

From the safety of a resilient U.S. economy, President Donald Trump lit the fuse Friday on a high-risk trade war with China.

History suggests that a cycle of tariffs and retaliations can eventually choke economic growth. But for now, employers, investors and U.S. consumers are weighing the perils of a prolonged rift between the world's two largest economies against a far more positive backdrop: America's healthiest job market in years.

Evidently confident despite the risks ahead, U.S. employers have added jobs this year at a robust monthly

average of 214,500. Many businesses say they've reached the point where they can't even find enough people to fill jobs. Unemployment is at a low 4 percent.

All that hiring is occurring in an economic expansion that is entering its 10th year — the second-longest streak on record. The U.S. financial markets, while wary of the trade fights Trump has pursued, have swung this year between modest gains and losses but have avoided any sustained panic.

"The robustness of the economy — and it's stronger than it has been in decades — inoculates Trump's trade policy moves from closer scrutiny," said Daniel Ikenson, director for trade policy studies at the libertarian Cato Institute.

Most employers see the economy as having achieved a comfortable cruising speed and have kept hiring. In surveys of business sentiment, they have expressed concerns about the tariffs, but their wariness has yet to disrupt their business plans.

The United States added 213,000 jobs in June, and an influx of new jobseekers, seemingly optimistic about their prospects but not finding work right away, lifted the unemployment rate from 3.8 percent to 4 percent, the government reported Friday.

Helping propel growth, business and consumers have received a \$136 billion stimulus this year from tax cuts. Quarterly economic growth is on track to be the strongest since 2014. Housing starts are up 11 percent so far this year.

From this position of strength, President Donald Trump is gambling that he can deploy tariffs to his advantage even though they will inflict some pain on businesses and consumers that backed him in 2016. The Trump team's calculation appears to be that foreign countries have no choice but to trade with the world's largest economy and will ultimately have to yield.

The president hopes to extract concessions not only from China but also from such long-standing allies as the European Union, Canada and Mexico. His stated goal is to reduce U.S. trade imbalances and create more U.S. manufacturing jobs.

So far, the economy can absorb the costs of the new tariffs, including separate steel and aluminum import taxes, without suffering a crushing hit. But the pain could intensify. Trump has threatened a 20 percent tariff on roughly \$50 billion of auto imports from the European Union. Those tariffs could lead to reciprocal taxes from other countries that could hurt U.S. automakers and lead to layoffs.

Trump has warned that he may eventually impose tariffs on more than \$500 billion of Chinese imports. He said in a speech in Montana last week that other

countries will agree to his terms — "and if they don't, we'll actually do better."

"Our allies, in many cases, were worse than our enemies," the president said. "We opened our country to their goods, but they put up massive barriers to keep our products and our goods the hell out of their country because they didn't want that competition."

From soybean farmers and pork producers to the motorcycle manufacturer Harley Davidson, numerous American exporters are facing upheavals from the tariffs.

Still, some U.S. companies are benefiting. Braidy Industries, for example, just broke ground on an aluminum mill near Ashland, Kentucky. It says it's already sold twice the plant's capacity for the first seven years of production after actions by the U.S. government to protect America's aluminum industry.

Craig Bouchard, Braidy's CEO, said an expansion of U.S. tariffs on imported aluminum is helping to allow for the 600 mill jobs he's adding in Appalachia and the thousands of jobs indirectly supported by the plant.

"It's 10,000 families resting on my shoulders," he said.

So far, most economists view Trump as jockeying for more favorable trade rules rather than welcoming a prolonged conflict with America's trading partners. Administration officials have encouraged this view.

"He's going to deliver better deals," Kevin Hassett, chairman of the White House Council of Economic Advisers, said on FOX Business Network. "He's called the bluff of other countries that have basically been abusing ... our workers for a long time and — but he wants better deals."

Bill Adams, a senior economist at PNC Financial Services, said that a truly destructive trade war is "still not our base case expectation, but it is less farfetched than it seemed" earlier this year.

A calamitous trade war would likely be the "result of miscalculation or unintended consequences, rather than an explicit goal," Adams added.

If it happened, the Trump-led economy could eventually buckle under the weight of protectionist trade policies.

"The longer tariffs last and the wider they become, the more they will dampen hiring and investment by U.S. businesses engaged in global value chains," Adams said.

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U.S. Freezes Payments To ACA Insurers With Sicker Patients

By Brian Broderick And Sarah Kopit
[Bloomberg News](#), July 7, 2018

The U.S. agency that administers Obamacare is freezing payments to insurers that cover sicker patients, saying a federal court ruling ties its hands. The move brought a sharp response from health insurers warning of market disruptions and higher costs.

The Centers for Medicare & Medicaid Services said Saturday that the February action by the trial court in New Mexico "prevents CMS from making further collections or payments under the risk adjustment program, including amounts for the 2017 benefit year, until the litigation is resolved."

The court's ruling bars the agency from collecting or making payments under the current methodology, which uses a statewide average premium, said CMS, which is part of the Department of Health and Human Services.

The move by CMS may affect publicly traded insurers that have stuck with Obamacare, such as St. Louis-based Centene Corp.

"As a result of this litigation, billions of dollars in risk adjustment payments and collections are now on hold," CMS Administrator Seema Verma said in the agency's statement.

"CMS has asked the court to reconsider its ruling, and hopes for a prompt resolution that allows CMS to prevent more adverse impacts on Americans who receive their insurance in the individual and small group markets," Verma said. Cost Sharing

The Congressionally mandated risk adjustment program of the Affordable Care Act redistributes funds from plans with lower-risk enrollees to plans with higher-risk enrollees, helping to ensure that sicker individuals can receive coverage by sharing the cost of covering them.

The trade group America's Health Insurance Plans said in an emailed statement that "We are very discouraged by the new market disruption brought about by the decision to freeze risk adjustment payments." It added that the move comes at a critical time when insurance providers are developing premiums for 2019 and states are reviewing rates.

"This decision will have serious consequences for millions of consumers who get their coverage through small businesses or buy coverage on their own. It will create more market uncertainty and increase premiums for many health plans – putting a heavier burden on small businesses and consumers, and reducing coverage options," AHIP said. Bipartisan Backing

Risk adjustment "has been long supported and embraced by both Republicans and Democrats," said

Scott Serota, president of the Blue Cross Blue Shield Association.

"This action will significantly increase 2019 premiums for millions of individuals and small business owners and could result in far fewer health plan choices," Serota said in a statement. "It will undermine Americans' access to affordable coverage, particularly those who need medical care the most."

CMS provided a timeline, noting that after the Feb. 28 decision by the New Mexico federal court, it filed a motion for reconsideration, and on June 21 the court held a hearing on it. CMS is waiting for the court's ruling, it said.

The CMS statement said the agency will "provide additional guidance shortly on how it will handle other issues relating to risk adjustment payments."

AHIP urged "a quick resolution is needed to avoid greater harm to the individual and small group markets," while Serota said CMS "has the legal justification needed to move forward with the payments regardless of the New Mexico ruling, and should do so."

US Opposition To Breast-Feeding Resolution Stuns World Health Officials

By Andrew Jacobs
[New York Times](#), July 8, 2018

A resolution to encourage breast-feeding was expected to be approved quickly and easily by the hundreds of government delegates who gathered this spring in Geneva for the United Nations-affiliated World Health Assembly.

Based on decades of research, the resolution says that mother's milk is healthiest for children and countries should strive to limit the inaccurate or misleading marketing of breast milk substitutes.

Then the United States delegation, embracing the interests of infant formula manufacturers, upended the deliberations.

American officials sought to water down the resolution by removing language that called on governments to "protect, promote and support breast-feeding" and another passage that called on policymakers to restrict the promotion of food products that many experts say can have deleterious effects on young children.

When that failed, they turned to threats, according to diplomats and government officials who took part in the discussions. Ecuador, which had planned to introduce the measure, was the first to find itself in the cross hairs.

The Americans were blunt: If Ecuador refused to drop the resolution, Washington would unleash

punishing trade measures and withdraw crucial military aid. The Ecuadorean government quickly acquiesced.

The showdown over the issue was recounted by more than a dozen participants from several countries, many of whom requested anonymity because they feared retaliation from the United States.

Health advocates scrambled to find another sponsor for the resolution, but at least a dozen countries, most of them poor nations in Africa and Latin America, backed off, citing fears of retaliation, according to officials from Uruguay, Mexico and the United States.

"We were astonished, appalled and also saddened," said Patti Rundall, the policy director of the British advocacy group Baby Milk Action, who has attended meetings of the assembly, the decision-making body of the World Health Organization, since the late 1980s.

"What happened was tantamount to blackmail, with the U.S. holding the world hostage and trying to overturn nearly 40 years of consensus on best way to protect infant and young child health," she said.

In the end, the Americans' efforts were mostly unsuccessful. It was the Russians who ultimately stepped in to introduce the measure — and the Americans did not threaten them.

The State Department declined to respond to questions, saying it could not discuss private diplomatic conversations. The Department of Health and Human Services, the lead agency in the effort to modify the resolution, explained the decision to contest the resolution's wording but said H.H.S. was not involved in threatening Ecuador.

"The resolution as originally drafted placed unnecessary hurdles for mothers seeking to provide nutrition to their children," an H.H.S. spokesman said in an email. "We recognize not all women are able to breast-feed for a variety of reasons. These women should have the choice and access to alternatives for the health of their babies, and not be stigmatized for the ways in which they are able to do so." The spokesman asked to remain anonymous in order to speak more freely.

Although lobbyists from the baby food industry attended the meetings in Geneva, health advocates said they saw no direct evidence that they played a role in Washington's strong-arm tactics. The \$70 billion industry, which is dominated by a handful of American and European companies, has seen sales flatten in wealthy countries in recent years, as more women embrace breast-feeding. Overall, global sales are expected to rise by 4 percent in 2018, according to Euromonitor, with most of that growth occurring in developing nations.

The intensity of the administration's opposition to the breast-feeding resolution stunned public health officials and foreign diplomats, who described it as a marked contrast to the Obama administration, which largely supported W.H.O.'s longstanding policy of encouraging breast-feeding.

During the deliberations, some American delegates even suggested the United States might cut its contribution to the W.H.O., several negotiators said. Washington is the single largest contributor to the health organization, providing \$845 million, or roughly 15 percent of its budget, last year.

The confrontation was the latest example of the Trump administration siding with corporate interests on numerous public health and environmental issues.

In talks to renegotiate the North American Free Trade Agreement, the Americans have been pushing for language that would limit the ability of Canada, Mexico and the United States to put warning labels on junk food and sugary beverages, according to a draft of the proposal reviewed by The New York Times.

During the same Geneva meeting where the breast-feeding resolution was debated, the United States succeeded in removing statements supporting soda taxes from a document that advises countries grappling with soaring rates of obesity.

The Americans also sought, unsuccessfully, to thwart a W.H.O. effort aimed at helping poor countries obtain access to lifesaving medicines. Washington, supporting the pharmaceutical industry, has long resisted calls to modify patent laws as a way of increasing drug availability in the developing world, but health advocates say the Trump administration has ratcheted up its opposition to such efforts.

The delegation's actions in Geneva are in keeping with the tactics of an administration that has been upending alliances and long-established practices across a range of multilateral organizations, from the Paris climate accord to the Iran nuclear deal to Nafta.

Ilona Kickbusch, director of the Global Health Centre at the Graduate Institute of International and Development Studies in Geneva, said there was a growing fear that the Trump administration could cause lasting damage to international health institutions like the W.H.O. that have been vital in containing epidemics like Ebola and the rising death toll from diabetes and cardiovascular disease in the developing world.

"It's making everyone very nervous, because if you can't agree on health multilateralism, what kind of multilateralism can you agree on?" Ms. Kickbusch asked.

A Russian delegate said the decision to introduce the breast-feeding resolution was a matter of principle.

"We're not trying to be a hero here, but we feel that it is wrong when a big country tries to push around some very small countries, especially on an issue that is really important for the rest of the world," said the delegate, who asked not to be identified because he was not authorized to speak to the media.

He said the United States did not directly pressure Moscow to back away from the measure. Nevertheless, the American delegation sought to wear down the other participants through procedural maneuvers in a series of meetings that stretched on for two days, an unexpectedly long period.

In the end, the United States was largely unsuccessful. The final resolution preserved most of the original wording, though American negotiators did get language removed that called on the W.H.O. to provide technical support to member states seeking to halt "inappropriate promotion of foods for infants and young children."

The United States also insisted that the words "evidence-based" accompany references to long-established initiatives that promote breast-feeding, which critics described as a ploy that could be used to undermine programs that provide parents with feeding advice and support.

Elisabeth Sterken, director of the Infant Feeding Action Coalition in Canada, said four decades of research have established the importance of breast milk, which provides essential nutrients as well as hormones and antibodies that protect newborns against infectious disease.

A 2016 Lancet study found that universal breast-feeding would prevent 800,000 child deaths a year across the globe and yield \$300 billion in savings from reduced health care costs and improved economic outcomes for those reared on breast milk.

Scientists are loath to carry out double-blind studies that would provide one group with breast milk and another with breast milk substitutes. "This kind of 'evidence-based' research would be ethically and morally unacceptable," Ms. Sterken said.

Abbott Laboratories, the Chicago-based company that is one of the biggest players in the \$70 billion baby food market, declined to comment.

Nestlé, the Switzerland-based food giant with significant operations in the United States, sought to distance itself from the threats against Ecuador and said the company would continue to support the international code on the marketing of breast milk substitutes, which calls on governments to regulate the inappropriate promotion of such products and to encourage breast-feeding.

In addition to the trade threats, Todd C. Chapman, the United States ambassador to Ecuador, suggested in meetings with officials in Quito, the Ecuadorean capital, that the Trump administration might also retaliate by withdrawing the military assistance it has been providing in northern Ecuador, a region wracked by violence spilling across the border from Colombia, according to an Ecuadorean government official who took part in the meeting.

The United States embassy in Quito declined to make Mr. Chapman available for an interview.

"We were shocked because we didn't understand how such a small matter like breast-feeding could provoke such a dramatic response," said the Ecuadorean official, who asked not to be identified because she was afraid of losing her job.

Wesley Tomaselli contributed reporting from Colombia.

Scott Pruitt, Fallen E.P.A. Chief, May Rise Again In Oklahoma

By Richard Fausset

[New York Times](#), July 8, 2018

Scott Pruitt's brief, tumultuous tenure as the head of the Environmental Protection Agency has left him disgraced in the eyes of many in Washington and across the country. But it may not have done him much harm in his home state.

Though a comeback for Mr. Pruitt is far from assured, some liberals and conservatives in Oklahoma agree he could engineer one in this oil- and gas-dependent state where he used to be attorney general. His hard-line anti-regulatory message remains popular here, and many of his supporters consider the spreading plume of scandal from his time at the E.P.A. the product of unfair liberal persecution.

"I don't judge him," said Ron Bracken, 59, a salesman and a supporter of President Trump, while sitting Sunday morning in the cafe of the megachurch that Mr. Pruitt has attended for decades.

Mr. Bracken conceded that perhaps there had been some wrongdoing on Mr. Pruitt's watch while in Washington. But he was not ready to condemn Mr. Pruitt based on news media reports, which he said had become partisan and untrustworthy: "It's probably not as bad as they say. If you're a Republican, you've got a mark on your back."

It is not clear whether Mr. Pruitt, 50, and his family will return to Tulsa, where he attended law school, practiced law and owns a home in a neighborhood south of downtown that has large residences and wide green

lawns. A lawyer for Mr. Pruitt did not respond to questions on Sunday.

If he does return, he would probably need to find a job. He would also likely find many people who have cheered the leading role he took in the Trump administration's effort to drastically roll back environmental rules that affect the oil and gas industry.

"Whatever Scott Pruitt's problems, whether they were self-inflicted or not, it really doesn't matter, in my view, because his approach was correct, and that needs to continue," said Dewey F. Bartlett Jr., an oil executive and former mayor of Tulsa. "Now, how Scott will be welcomed back in Tulsa, back in Oklahoma, that will be O.K."

"It's not like 'Mr. Smith Goes to Washington,' necessarily. But I think he's been seen as a person who tried hard, was pretty successful, and got beat up pretty bad."

Tulsa, with a population of about 402,000, is Oklahoma's second-largest city, and oil and gas are central to its self-image and crucial to its economy, with 20,000 industry jobs in the area. Mr. Bartlett owns Keener Oil & Gas, a family business that was founded in 1910, three years after Oklahoma gained statehood.

Mr. Bartlett spoke of "the old entrepreneurial wildcatter spirit" from those days, when a few men in a coffee shop might hear talk about a gusher, get hold of a nearby lease, secure investors on a handshake and drill. That spirit, he said, continues to permeate the business culture of Tulsa, and of Oklahoma more broadly, where about one in four jobs are estimated to be directly or indirectly tied to the energy industry.

Mr. Pruitt celebrated that kind of frontier capitalism when he ran for attorney general in 2010. "I love the pioneering spirit of our state," he said in a campaign video.

And in a signal of his antipathy for environmental regulations, he said that government "is not our master, it's our servant."

Soon after winning election, he disbanded an environmental protection unit in the attorney general's office, according to Johnson Grimm-Bridgwater, director of the Oklahoma chapter of the Sierra Club. Mr. Pruitt also established a "federalism unit," to which he said he would assign state lawyers "to wake up each day and to go to bed each night thinking about ways they could push back against Washington."

As attorney general, he repeatedly sued the E.P.A. and joined with other Republican attorneys general to fight federal pollution regulations, working hand in hand with the energy industry. In 2014, he sent a letter to the E.P.A. accusing federal regulators of overestimating the pollution caused by gas wells in Oklahoma; the text was

written by lawyers for Devon Energy, one of Oklahoma's biggest oil and gas companies. A billionaire oil executive, Harold G. Hamm, led his re-election campaign.

Mr. Pruitt became a hero to conservatives of both modest and ample means. Lawrence Zezima, 25, a conservative gun shop owner in Broken Arrow, a Tulsa suburb, said on Saturday that many Oklahomans would consider Mr. Pruitt's problems with the Washington establishment a well-earned badge of honor — not a blot on his reputation.

"I don't see how he doesn't have a chance" to win a future statewide office, Mr. Zezima said.

Noel Runyan, 31, a liberal-leaning high school social studies teacher, agreed. Mr. Pruitt has portrayed himself as a victim of liberal enemies, he said, and "a lot of the political culture in this state depends on that sense of martyrdom."

While at the E.P.A., Mr. Pruitt justified flying first class at taxpayer expense by saying he needed to avoid confrontations with uncivil critics. In his resignation letter on Thursday, he wrote that "unrelenting attacks" on him and his family had "taken a sizable toll on all of us."

Mr. Pruitt's actions at the E.P.A. remain the subject of several federal investigations despite his resignation, and the outcome of those investigations could substantially change the political calculus.

But in the meantime, some important Republican leaders in Oklahoma have rallied to his side. "I think Oklahomans still love him, support him and trust him," Pam Pollard, the state party chairwoman, told The Associated Press after his resignation. "We'll give him the opportunity to tell his side of the story."

Carl Curtis, 59, a retired teacher who was walking in Mr. Pruitt's neighborhood on Saturday morning, said Mr. Pruitt would probably have a chance for political rebirth, if only because Republicans now seem to rally around their politicians regardless of ethical failings. "Look at Trump, what he's gotten away with, and they're sticking with him," said Mr. Curtis, a Democrat.

Senator James M. Inhofe, a Republican who had long backed Mr. Pruitt, appeared to waver this year but later said the ethics allegations against Mr. Pruitt had no merit. Mr. Inhofe released a statement shortly after Mr. Pruitt resigned, saying he had performed "great work to reduce the nation's regulatory burdens."

There is some talk in Oklahoma that if Mr. Inhofe retires — he is 83, and his term runs through 2020 — Mr. Pruitt could run to fill his seat.

The challenge for him in such a race would be the many other ambitious anti-regulation Republicans who would not be burdened, as he has been, with months of negative headlines and late-night TV ridicule.

"If he decides to run for something again, he's going to confront a relatively young opponent, or group of opponents, who just won't have his baggage," said Keith Gaddie, a professor of political science at the University of Oklahoma.

Still, Mr. Gaddie said, Mr. Pruitt has proved to be a skilled and adaptable politician. Even after his ignominious retreat from Washington, he holds a certain sway with Oklahoma voters like Kelly Coday.

Mr. Coday, 52, considers himself a conservative Democrat. He voted for Barack Obama in 2012 and for Mr. Trump four years later. The latter vote came, he said, in a moment of fear: The company he was working for, which supplies nuts, bolts and fasteners to the oil and gas industry, was laying off workers, and Mr. Trump was saying he would help.

Now, Mr. Coday said, he has soured on Mr. Trump and faulted Mr. Pruitt for his ethical lapses, saying "he got caught and he shouldn't have done it."

But the economy is good, he said, and it seems as though everyone in Washington is up to some kind of nonsense.

Would Mr. Coday vote for Mr. Pruitt if he ran for office?

"I'd give him a look," he said.

Ex-aide Says He'll Take Credit For Pruitt's Downfall

By Miranda Green

[The Hill](#), July 8, 2018

Kevin Chmielewski, the Environmental Protection Agency (EPA) whistleblower who played a central role in Scott Pruitt's downfall at the agency, said he feels vindicated by the administrator's departure.

"I hate to take a credit for a man losing his job, but I guess I'd have to say that I take the credit," Chmielewski told The Hill on Friday, the day Pruitt left the EPA.

Chmielewski, who served as deputy chief of staff for operations at the agency during most of Pruitt's tenure, leaked documents and provided information that prompted investigations into several high-profile scandals, from the retroactive altering of the administrator's public calendar to a request that staff help him find a condo in Washington.

Chmielewski left the agency in February, saying he was forced out after questioning spending and management practices.

But he didn't step back after his dismissal. Instead, he guided journalists and environmentalists toward controversies surrounding Pruitt by recommending which

agency documents to seek out via Freedom of Information Act (FOIA) requests.

"I've put the breadcrumbs where they had to go and pointed to the FOIAs — the FOIAs have been 99.9 percent of it," Chmielewski said. "They've all come back, and in a lot of cases they were worse than I even knew about."

He called the public records — released in batches over the past few months — the silent hero behind Pruitt's departure. Many of those documents were made available as a result of a Sierra Club lawsuit that challenged the agency for missing a legal deadline to produce the records and essentially forced the agency to provide almost 60,000 pages of documents, many of which backed up reports already circulating about Pruitt and how the EPA was run.

"When we didn't receive responses to our requests, a lawsuit appeared to be the only option for getting the documents, which we — and the public — had a right to under the Freedom of Information Act," Sierra Club attorney Elena Saxonhouse said in a statement to The Hill on Sunday. "The documents that were produced made it clear that it was even worse than anyone thought, as they provide evidence not just that polluters were giving Pruitt marching orders, but that he was using his power to enrich himself and live in luxury."

"Under the law these documents should have been forthcoming, but we had to take Pruitt to court to get them, and now it's clear why," Sierra Club Executive Director Michael Brune said in a statement in May. "These documents expose a deeply rooted culture of corruption surrounding Scott Pruitt and his dealings in essentially every aspect of his job."

The records also lent more credibility to Chmielewski's descriptions of the EPA's inner workings under Pruitt.

"I've been vindicated," Chmielewski said on Friday. "It's a relief."

For example, emails and itineraries released through FOIA requests backed up Chmielewski's assertions that Pruitt had ordered staff to retroactively change meetings listed on his public calendar. One of those meetings involved a dinner with Cardinal George Pell during Pruitt's trip to Italy. Pell was later charged with sexual misconduct.

A Trump administration official described the string of FOIA documents following the Sierra Club's lawsuit as "the silver bullet" that ended Pruitt.

Chmielewski, the lifelong Republican and former Trump campaign advance man whom Trump once brought on stage to thank during a rally, became a polarizing figure berated by conservatives after he spoke out against the administration.

The EPA regularly referred to him as a "disgruntled" employee, and his outspokenness made him an outcast in the Republican political world as well, leaving him to look for employment outside of Washington. The former merchant mariner currently works part-time at Sunset Grille and Teasers Bar in Ocean City, Md., where he now lives.

But he'll be back in Washington this week, when he's slated to testify in front of lawmakers as part of the House Oversight and Government Reform Committee's investigation into Pruitt's spending.

Speaking a day after Pruitt's resignation was announced, Chmielewski said he was still a bit surprised to hear the news because of how resilient Pruitt had been amid multiple scandals, particularly the latest one about the calendar alterations.

"If it didn't happen this week, there was nothing else the guy couldn't do," Chmielewski said, adding that he had already been asking himself, "What more does this guy have to do" to get fired?

Scott Pruitt Removes His Ethical Swamp From EPA

By The Editorial Board, *Usa Today*

[USA Today](#), July 5, 2018

The only surprising things about the resignation of Environmental Protection Agency Administrator Scott Pruitt, announced Thursday, were that it took as long as it did and that he was allowed to resign.

As an astonishing number of scandals swirled around the EPA chief, the clamor for his departure came to resemble nothing more than the Dr. Seuss classic about a man named Marvin K. Mooney, with Pruitt substituting for the title character:

"The time has come. The time is now. Just go. Go GO! I don't care how. You can go by foot. You can go by cow. Edward Scott Pruitt, will you please go now!"

So Pruitt is finally and belatedly on his way out, after spawning more than a dozen investigations in fewer than 17 months on the job. These cover a sweetheart rental agreement with an energy lobbyist's wife, lavish spending of taxpayer money on security and first-class airfare, efforts to get his wife a Chick-fil-A franchise, using aides to do his private business, and other allegations too numerous to mention here.

How did Pruitt survive as long as he did? The short answer was the passion he displayed for doing President Donald Trump's bidding in rolling back environmental regulations.

For all of Trump's rhetoric about "draining the swamp" in Washington, he was reluctant to get rid of the biggest grifter in his own administration because, as the

president put it Thursday, in his opinion Pruitt was doing "an outstanding job" within the agency.

In reality, the former Oklahoma attorney general leaves a disastrous policy legacy on top of his disastrous personal one. Pruitt, who questions the overwhelming scientific consensus that human activity is driving global warming, pushed Trump to withdraw the United States from the Paris climate accord.

That ill-considered decision leaves America as the odd country out among the world's nations, even as parts of the planet experience extreme, record-shattering heat.

Pruitt's top deputy, Andrew Wheeler, is set to become acting administrator on Monday. Wheeler, a former Senate aide, EPA staffer and energy lobbyist, is expected to continue implementing Pruitt's deregulatory agenda.

But, like Cal Ripken's streak of 2,632 consecutive baseball games, Pruitt's record for ethical entanglements by a single Cabinet member is going to be hard to top. It was, indeed, long past time for him to go. So ... he went.

Andrew Wheeler Keeps A Low Profile At The EPA, Gets Things Done

By Myron Ebell

[USA Today](#), July 8, 2018

Environmental Protection Agency Administrator Scott Pruitt was driven from office by a steady drumbeat of allegations of personal misconduct. Now that this orchestrated campaign has succeeded, environmental groups hope his departure will force a change of direction at the EPA.

That's what happened the last time an administrator tried to reform the agency. After Anne Gorsuch Burford was censured by the House of Representatives in 1982, President Ronald Reagan gave up and brought back William Ruckelshaus, who was the first administrator in 1970 and saw nothing wrong with what he created.

There will be no backtracking this time. That's because the new acting administrator, Andrew Wheeler, is fully committed to the president's agenda, which aims to ensure access to affordable and reliable energy, tackle agency overreach and return the EPA to its original mission. Wheeler may never be President Donald Trump's favorite or a conservative movement star, as Pruitt was, but he might prove better at implementation.

Pruitt was an outstanding public advocate for undoing Barack Obama's regulatory onslaught and reforming a hidebound agency. Wheeler previously worked at the EPA and then worked for Sen. James

Inhofe, R-Okla., on the Environment and Public Works Committee, including several years as chief of staff. He's only been the EPA's deputy administrator since mid-April.

Because he keeps a low profile, Wheeler gets things done. His skills are especially needed now. Efforts to undo the so-called Clean Power Plan and other energy-rationing rules, as well as the Waters of the U.S. rule, have been beset by glitches and delays. The EPA needs to get going because litigation threatens every deregulatory action.

On at least two major issues — involving greenhouse gas emissions and Alaska mining development — Wheeler may prove bolder than his predecessor. Let's hope so.

Myron Ebell, director of the Competitive Enterprise Institute's Center for Energy and Environment, served as the head of Trump's EPA transition team.

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Trump Has Nothing To Fear From Cohen's Cooperation With Prosecutors, Giuliani Says

By Gregory Korte

[USA Today](#), July 8, 2018

President Donald Trump's lawyer in the investigation of Russian interference in the 2016 election said the president has no reason to fear cooperation between Trump's former personal attorney Michael Cohen and federal prosecutors.

"If he wants to cooperate, I think it's great," Rudy Giuliani said on NBC's "Meet the Press." "Because it's going to lead to nothing."

In an interview that aired last week, Cohen said he did not share Trump's animosity toward Justice Department special counsel Robert Mueller. Cohen told ABC he did not dismiss the possibility of cooperating with the Russia investigation.

For years, Cohen was one of Trump's closest aides who ran interference for his boss on a wide range of personal and legal matters, earning the reputation as a loyal "fixer."

Mueller is investigating whether Trump or anyone on his campaign cooperated with Russia in its efforts to influence the presidential campaign. Trump denied any collusion and called Mueller's inquiry a "witch hunt."

Separately, federal prosecutors are investigating Cohen's business dealings, including a \$130,000 payment made to porn actress Stormy Daniels in exchange for her silence about her claim of a sexual relationship with Trump. Although Trump denied the

relationship, the payment was authorized on the eve of the 2016 presidential election.

Federal prosecutors in New York took possession last week of 1.3 million documents the FBI seized in a raid on Cohen's offices in April.

Giuliani told ABC's "This Week" that Trump "did not originally know" about the \$130,000 payment to Daniels, but it was "probably a little foggy as to exactly when the president found out" and reimbursed his former lawyer. Trump has given contradictory accounts of the timeline.

The timing and structure of the payment could have an impact on whether it should be considered a campaign contribution or an improper advance of settlement funds.

Giuliani was asked what Trump might have known about a meeting in July 2016 at Trump Tower between campaign officials — including son Donald Trump Jr. and son-in-law Jared Kushner — and Russians who claimed to have compromising information on Hillary Clinton.

"I think that you could have very, very different recollections on that because it was right in the heat of the campaign," he said. "You know what a campaign is like, it's complete helter skelter."

Giuliani told NBC News that he recommended that Trump not agree to an interview with Mueller. Giuliani called Mueller's inquiry "a witch hunt and an attempt to trap him in perjury."

"President Trump wants to testify. We have to hold him back," he said.

Giuliani Says Cohen Should Cooperate With Feds: 'We Have No Reason To Believe He Did Anything Wrong'

By Bradford Richardson

[Washington Times](#), July 8, 2018

Rudy Giuliani says he has "no concerns" about the possibility that President Trump's longtime personal attorney Michael Cohen will cooperate with federal investigators.

"Michael Cohen should cooperate with the government," Mr. Giuliani said Sunday on ABC's "This Week." "We have no reason to believe he did anything wrong."

Last week Mr. Cohen, who is being investigated for campaign finance violations and other financial crimes, said his "first loyalty" belongs to his family and country, leading to speculation that he may "flip" on the president.

Mr. Giuliani, who joined Mr. Trump's legal team earlier this year, dismissed those concerns, saying there is no indication that the president is involved in the investigation into Mr. Cohen.

"I have no concerns that Michael Cohen is going to do anything but tell the truth," he said.

He also said Mr. Trump believes Mr. Cohen should cooperate with federal investigators.

Giuliani: No Cohen Concerns 'As Long As He Tells The Truth'

By Associated Press

[Associated Press](#), July 8, 2018

President Donald Trump's attorney says they are unconcerned about anything the president's longtime personal lawyer could tell authorities.

Rudy Giuliani says on ABC's "This Week" Sunday that they have no worries about Michael Cohen "as long as he tells the truth."

FBI agents raided Cohen's home, office and hotel room in New York in April as part of a probe into his business dealings. Cohen recently told ABC's George Stephanopoulos that he is putting "family and country first" and protecting the president is not his priority.

Giuliani says Cohen "should cooperate with the government." He adds, "We have no reason to believe he did anything wrong."

Giuliani says he has advised Trump that there should be "no discussion of pardons," adding that is "something you can decide down the road."

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Giuliani: 'No Concerns' About Cohen Cooperating With Investigators

By Brett Samuels

[The Hill](#), July 8, 2018

Rudy Giuliani said Sunday he has "no concerns" about whether President Trump's longtime personal attorney Michael Cohen will cooperate with federal prosecutors or potentially "flip" on the president.

"Michael Cohen should cooperate with the government. We have no reason to believe he did anything wrong," Giuliani said on ABC's "This Week."

"I have no concerns that Michael Cohen is going to do anything but tell the truth," Giuliani added.

Pres. Trump's personal attorney Rudy Giuliani tells @GStephanopoulos: "Michael Cohen should cooperate with the government. We have no reason to believe he did anything wrong. The president did nothing wrong with him" #ThisWeek pic.twitter.com/lFewJyvaw3— This Week (@ThisWeekABC) July 8, 2018

Giuliani, who joined the president's legal team in the Russia probe earlier this year, argued that the president is not involved in any of Cohen's legal troubles.

Cohen is reportedly under investigation for bank fraud and campaign finance law violations.

Cohen, who worked for Trump for years, told ABC last week that his "first loyalty" belongs to his family and the country, not the president. His comments raised speculation that he may be willing to cooperate with investigators and turn on the president.

Giuliani on Sunday brushed aside those concerns, saying "every indication we have is the president is not involved in this."

He added that Trump reacted to Cohen's latest comments by saying that Cohen should cooperate with prosecutors and tell the truth.

The former New York City mayor argued that if the president were implicated in Cohen's alleged crimes, special counsel Robert Mueller would be handling the case himself. Instead, Cohen's case is taking place in the Southern District of New York.

Cohen is in the midst of a change in legal team in his case. Last week he hired Lanny Davis, a former Clinton White House official, to represent him in the ongoing proceedings. Davis is a columnist for The Hill.

Rudy Giuliani: 'We Have Nothing To Fear' From Michael Cohen

By Melissa Quinn

[Washington Examiner](#), July 8, 2018

Rudy Giuliani, a member of President Trump's legal team, said the president and his lawyers "have nothing to fear" regarding Trump's personal lawyer, Michael Cohen.

"We want Michael to handle this in a way that's most helpful to him," Giuliani told ABC News on Sunday. "Michael's not going to lie. He's going to tell the truth. As long as he does that, we have nothing to fear."

Cohen is currently under investigation by federal prosecutors in New York, though he has not yet been charged with any wrongdoing. His office, hotel room, and apartment were raided by the FBI in April.

The president's longtime personal attorney raised eyebrows earlier this week when he told ABC News his "first loyalty" is to his family and the country. Cohen's comments led some to believe he may be willing to cooperate with prosecutors and provide them with information about Trump.

Cohen took additional steps to distance himself from Trump, removing a reference to the president from his Twitter profile this week.

Giuliani reiterated he is not worried about what Cohen may tell federal prosecutors.

"I have no concerns that Michael Cohen is going to do anything but tell the truth and if he does, as I said, there's no suggestion that anything happened," he said.

Among the issues Cohen faces is a \$130,000 payment he facilitated just before the 2016 election to Stormy Daniels, a former adult film actress who claims to have had an affair with Trump. The president reimbursed Cohen for the payment last year, his most recent campaign finance report revealed, though Cohen said Trump didn't know about the payment at the time.

Giuliani said Trump "did not originally know" about the payment, but said he reimbursed Cohen when he eventually found out.

Giuliani Advises Trump Not To Pardon Cohen, Says 'it Would Just Confuse Everything'

By Shane Harris

[Washington Post](#), July 8, 2018

Rudolph W. Giuliani, an attorney for President Trump, said Sunday that he has counseled the president against granting a pardon to his longtime fixer Michael Cohen, at least for now.

"I have advised the president, which he understands: no discussion of pardons," Giuliani said in an appearance on ABC News's "This Week." But he seemed not to rule out that the president might change his mind.

"You can't abridge your power to do it. That's something you can decide down the road, one way or the other," Giuliani said.

Cohen, who is Trump's former attorney and who once famously said that he was prepared to "take a bullet" and "do anything" to protect him, is under intensifying scrutiny from federal prosecutors in Manhattan. They are investigating his business practices, as is the team led by special counsel Robert S. Mueller III, who is investigating matters connected to Cohen as part of the broader probe of Russian election interference and possible obstruction of justice by the president.

Federal agents searched Cohen's home and office in April, and speculation has since mounted that he might turn on Trump and provide evidence to federal officials that could implicate the president or his campaign.

While Giuliani said he had advised Trump against pardoning Cohen, he also argued that to rule out a pardon "wouldn't be fair to — to the president, wouldn't be fair to Cohen, wouldn't be fair to future presidents. But the fact is there's no reason for a pardon right now . . . and, quite honestly, it would just confuse everything."

In an earlier interview with ABC News's George Stephanopoulos, Cohen said his primary loyalty was to his family and to the United States, a notable change from earlier statements that indicated he would protect Trump above all others.

Giuliani said he was not concerned by the interview.

"Michael Cohen should — should cooperate with the government," he said. "We have — we have no reason to believe he did anything wrong. The president did nothing wrong with him, so we've gone through every document we can. We see no evidence of it."

Stormy Daniels To Visit Washington This Week — For A Strip-club Show

By Frances Stead Sellers

[Washington Post](#), July 8, 2018

Adult-film actress Stormy Daniels is scheduled to visit downtown Washington on Monday night, bringing her strip show to the Cloakroom, a K Street nightclub about midway between the Capitol and the White House.

It's not the first time Daniels has promised to perform in Washington, near the high-profile subject of her alleged 2006 affair and the man she has sued, first to void their hush agreement and then for defamation: President Trump. A much anticipated June visit was canceled because of a "scheduling conflict," according to Cloakroom owner Andre de Moya, who gave a brief tour of his club on a recent weekday night.

Daniels is scheduled to be here for the club's "Official Grand Opening." Four years ago, the Cloakroom's building — then on one of K Street's seedier blocks — collapsed, sending customers and nearly nude performers into the streets, and the club shut down. It reopened this spring as proof that even if some things never change, D.C. neighborhoods do. The Mount Vernon Triangle hot spot now sits among high-priced condominiums and trendy restaurants.

A touch of class appears to be what de Moya is banking on. The club website makes no mention of the "Make America Horny Again" tour that Daniels launched in January in South Carolina, days after news reports surfaced that Trump's longtime lawyer Michael Cohen paid \$130,000 to silence her during the 2016 presidential campaign — an attempt to keep her from talking about her alleged relationship with Trump. (Trump has acknowledged the payment but has denied the affair.) For its Washington audience, the Cloakroom teases a show more tastefully titled "All Things Revealed."

Which is just what audiences anticipate from a woman who has made her living performing, writing and directing pornographic films. De Moya was coy, though,

about what to expect when Daniels, whose real name is Stephanie Clifford, shows up to perform two shows each night on Monday and Tuesday.

De Moya declined to say whether there would be any special arrangements when the country's most polarizing pole dancer takes the stage. It would be like "any old night," he said, but they "just happen to have Stormy Daniels here."

Though "here," as de Moya added, is "pretty close to the White House."

Tickets for the shows have been on sale on the club's website: general admission is \$50 for entry to the main floor, and comfy leather VIP-level seating is \$100. As for the 12-guest skyboxes, which offer aerial views of dancers turning somersaults on poles below? For \$3,500 per show, they come with added enticements such as bottles of champagne, truffle popcorn and "Dark and Stormy Shots."

The Cloakroom — which bills itself as a multilevel adult entertainment venue — is, by all appearances, more upscale than the last place Daniels performed when she visited the area, at Fantasies Nightclub and Sports Bar in South Baltimore, a squat concrete building about 15 minutes from the airport.

The cover charge at that event in April was \$15 for early arrivals. The menu offered deep-fried fish nuggets and chicken wings served with "G-string onion straws." And while the Cloakroom has scheduled a 6 p.m. Daniels performance to accommodate summer Washington work hours, on her first night in Baltimore, Daniels didn't appear onstage until after 10:30 p.m.

A succession of house dancers entertained a restive audience of regulars, strip-club first-timers and journalists until Daniels sashayed onstage as a sequined Little Red Riding Hood.

She performed in heels that were modest by the standards of the night — a reminder, like the 1980s dance music, that Daniels, at 39, is a senior figure among strippers. As the crowd broke into chants of "Stormy! Stormy! Stormy!" and some showered her with bills, all things were revealed, as Cloakroom promises they will be this week.

It was all over in about 10 minutes.

Or so it seemed, until Daniels crawled along the bar with a man carrying a purple bucket walking beside her. Strip-club newcomers were transfixed, tucking bills into her thong. One man pressed Daniels to join him on his bar stool. She declined. "I'm not doing lap dances tonight," Daniels told him.

Is that what visitors should expect when Daniels comes to Washington?

"No," said de Moya, who was willing to offer some idea of what not to expect: At the Cloakroom, performers are not allowed on the bar.

"This is a high-class gentlemen's club," de Moya said as neon-blue lights shone on a topless dancer nearby. "You can quote me on that."

Giuliani Doubts Trump Would Ever Meet With Mueller

By Marisa Schultz

[New York Post](#), July 8, 2018

President Trump's lawyer Rudy Giuliani cast serious doubt on the possibility his client would ever sit down with Special Counsel Robert Mueller.

Giuliani on Sunday said Mueller's team would first have to demonstrate a "factual basis" for their probes into Russian collusion and obstruction of justice.

Even then, Giuliani said he doesn't want Trump vulnerable to a "corrupt" investigation.

"The reality is that there are biases that have to be explored surrounding Mueller," Giuliani told ABC's "This Week."

"How you could end up hiring a group of people that are as prejudiced and biased as this group ... is extraordinary. And how could you expect us to just walk our client like lamb going to the slaughter. We wouldn't be lawyers if we would do that."

"This is the most corrupt investigation I have ever seen," the former New York City mayor said.

Giuliani and Trump allies have repeatedly pointed to the anti-Trump texts of the two FBI lovebird agents working on the case.

But once Mueller found out, he dismissed them from the investigation.

"Have you simply determined that the president is not going to sit down (with Mueller)?" asked ABC host George Stephanopoulos.

"We have not," Giuliani said. "We are close to determining that, but the reason for the extensions are the extraordinary things that happened that we didn't expect."

Giuliani previously told the New York Times that Trump won't sit down for an interview unless Mueller can prove there was evidence of criminal wrongdoing.

"We've been through everything on collusion and obstruction. We can't find any incriminating anything. And we need a basis for this investigation," Giuliani explained Sunday.

Also Sunday, Giuliani said he believes that Trump didn't know at the time that Michael Cohen, his former personal lawyer, paid porn star Stormy Daniels to keep silent about an alleged affair with Trump.

However, Giuliani suggested there could have been an “understanding” between Trump and Cohen that he would get repaid \$140,000 for things like this “nuisance settlement.”

“I think Cohen knew he’d be reimbursed. It didn’t seem to be any trouble in working out a reimbursement,” Giuliani said.

Cohen last week told ABC that his first loyalty is to his family and his country, and not to Trump, in an apparent signal he’d cooperate with federal investigators as they try to build a case against the president.

Giuliani downplayed Cohen’s statements and said he has no reason to believe Cohen has done anything wrong.

“I have no concerns that Michael Cohen is going to do anything but tell the truth,” he said.

Asked if pardoning Cohen is still a possibility, Giuliani said : “I’ve advised the president, which he understands, no discussion of pardons. You can’t abridge your power to do it, that’s something you can decide down the road one way or the other.”

Giuliani Demands ‘Factual Basis’ For Mueller Probe Before Any Trump Interview

Comments represent hardening of White House stance on sit-down in Russia probe

By Lalita Clozel

[Wall Street Journal](#), July 8, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Giuliani: Mueller Probe ‘most Corrupt Investigation I Have Ever Seen’

By Louis Nelson

[Politico](#), July 8, 2018

The Russia investigation led by special counsel Robert Mueller is “the most corrupt investigation I have ever seen,” President Donald Trump’s attorney Rudy Giuliani told ABC News on Sunday morning.

Still, Giuliani, the former New York mayor who heads up Trump’s outside legal team, did not close the door completely on the prospect that the president might sit for an interview with Mueller’s team. Giuliani told The New York Times last week that Trump would speak to Mueller’s team only if the special counsel can show a legitimate basis for the investigation having been started and that the president’s testimony is crucial to its conclusion.

“We can’t find an incriminating anything, and we need a basis for this investigation, particularly since we now know it was started from biased — by biased,” origins, Giuliani argued on ABC’s “This Week” on

Sunday. Trump’s attorney suggested that testimony from former FBI Director James Comey, who has said Trump asked him to drop an investigation into former national security adviser Michael Flynn, “is hardly worth anything” and that Mueller’s team is stacked with “very, very severe partisans.”

Of Mueller specifically, Giuliani told NBC’s “Meet the Press”: “I do not think he’s corrupt” but that “he’s surrounded by biased people. Almost exclusively.”

The arguments from Giuliani match ones the president has long made about Mueller’s team, chiefly that it amounts to a “witch hunt” staffed by “13 angry Democrats.” Mueller himself is a registered Republican.

Asked about longtime Trump attorney Michael Cohen, who last week in an interview with ABC’s George Stephanopoulos sent seemingly the strongest signals yet that he could cooperate with Mueller’s probe, Giuliani said he is not concerned about such a scenario.

Cohen, in an off-camera interview, told Stephanopoulos that “my wife, my daughter and my son have my first loyalty and always will,” even in a situation where prosecutors might put the president’s longtime personal attorney and fixer in the position of deciding between his family and Trump.

Cohen has found himself at the center of multiple legal issues in recent weeks, including a lawsuit brought by adult film actress Stormy Daniels, who is seeking to void a nondisclosure agreement Cohen handled related to a one-night sexual affair she claims to have had with the president, and an FBI raid against his home and residences last month.

Asked if he has concerns about anything Cohen might tell federal prosecutors, Giuliani said, “zero. None.”

“We want Michael to handle this in a way that’s most helpful to him. Michael’s not going to lie, he’s going to tell the truth. Long as he does that, we have nothing to fear,” Giuliani said. “As long as he tells the truth, we’re home free.”

“If he wants to cooperate, I think it’s great,” Giuliani told “Meet the Press.” “I know Michael. He has no evidence of, nor was he involved in anything untoward with the president.”

Details Emerge On Justice Department Meeting With Reporters On Manafort

Josh Gerstein on the Courts, Transparency, & More

By Josh Gerstein

[Politico](#), July 8, 2018

Lawyers for former Trump campaign chairman Paul Manafort are crying foul over a meeting Justice Department prosecutors held with four Associated Press

reporters last year as news organizations and the FBI bore down on the longtime lobbyist and political consultant.

Manafort's defense has argued for months that the off-the-record session on April 11, 2017, was a potential conduit for improper leaks to the press about the probe that led to two criminal cases against the former Trump campaign chief.

Now, Manafort's attorneys have fresh evidence they say bolsters their claims: two memos written by FBI agents who attended the meeting and documented their version of what transpired.

Manafort's legal team paints the evidence as confirmation that journalists were given inside information about the investigation in violation of Justice Department policies and, perhaps, legal prohibitions on disclosure of grand jury secrets.

"The meeting raises serious concerns about whether a violation of grand jury secrecy occurred," Manafort's lawyers wrote in a filing Friday with U.S. District Court Judge T.S. Ellis, who's set to oversee an upcoming trial of Manafort on bank and tax fraud charges brought by special counsel Robert Mueller. "Now, based on the FBI's own notes of the meeting, it is beyond question that a hearing is warranted."

One of the FBI memos indicates that the AP did get some information at the meeting. At the conclusion of the session, reporters got a vague assurance that they "appeared to have a good understanding of Manafort's business dealings," one memo says. The same memo says the meeting was "arranged" by Andrew Weissmann, then the chief of the fraud section of Justice's Criminal Division and now the top prosecutor on the Manafort case.

Weissmann responded to an AP query about Cyprus' cooperation in the probe by urging the reporters to ask Cypriot officials whether they had given the U.S. all the information it sought about Manafort's bank dealings there or just a portion of it, one of the memos says.

However, the memos indicate that the bulk of the information flow at the meeting went the other way, with the AP journalists providing the FBI with a bevy of facts the news organization uncovered during its inquiries into Manafort's work and finances. The meeting took place a day before the AP published a story saying that Manafort received at least some payments ascribed to him or his companies in a so-called black ledger of off-the-books spending by former Ukrainian President Viktor Yanukovych.

Reporters do sometimes give government agencies a heads-up on forthcoming stories that could significantly affect an investigation, but the details in the

FBI memos show that the AP provided numerous details to the officials about the news outlet's investigation. Many appear to have already been public, but some seem unreported, like a claim that Manafort sent an internal White House document to people he was working with in Ukraine.

One of memos also says the purpose of the meeting was for the FBI to "obtain documents from the AP reporters," although it's unclear any documents were shown or changed hands.

The memos also show that one of the AP journalists gave the FBI an unusual detail about a storage unit in Alexandria, Virginia, that Manafort used to keep records of his worldwide business dealings. Both memos say the AP revealed a code number to access the unit, although one memo says the reporters declined to share the number or location of the locker. (The memos give two slightly different versions of the code, with one suggesting it was to access a locked parking lot at the storage facility.)

The FBI agent who wrote one of the memos, Jeff Pfeiffer, testified last week that the tip from the AP may have led to discovery of the locker, although he said there was a possibility he had heard about the storage site before the April 2017 meeting. The FBI later found a Manafort aide who led them to the spot where Manafort's records were stored. After looking in with the aide, the FBI got a search warrant and seized many of the records.

One journalism expert said he was taken aback by the AP sharing the code with the FBI, but he cautioned that the FBI's accounts are only their perspective on the meeting.

"I'm surprised by the access code notation, that does seem rather unorthodox if the FBI memo is accurate in stating or implying that the AP reporters volunteered that information," said University of Maryland journalism professor Mark Feldstein. "Generally speaking, skepticism is warranted when it comes to self-reporting by both the FBI and news outlets about their interactions. Neither side is supposed to share confidential information with the other, but in fact each often does — perhaps to seek corroboration, perhaps to get other confidential information back in exchange or perhaps to spur on the other side's investigation."

An AP spokeswoman did not respond to requests for comment on the FBI reports, but said last month that the organization's goal in the meeting was to gather news.

"Associated Press journalists met with representatives from the Department of Justice in an effort to get information on stories they were reporting,

as reporters do," spokeswoman Lauren Easton said. "During the course of the meeting, they asked DOJ representatives about a storage locker belonging to Paul Manafort, without sharing its name or location."

The AP has vehemently objected in recent years to government actions it said threatened its independence as a news organization.

In 2014, the AP denounced the FBI's impersonation of an AP reporter in a bid to gain access to the computer of a suspect in a case involving cyberattacks. "The agency's unacceptable tactics undermine AP and the vital distinction between the government and the press," AP Executive Editor Kathleen Carroll said at the time. A year earlier, the AP lodged a formal complaint after investigators obtained phone records for numerous AP reporters as part of a leak investigation.

Manafort's lawyers noted in their plea for a hearing on the issue that the House Intelligence Committee asked for more information on the meeting earlier this year. The defense attorneys also seem eager to get a hearing at which they can seek to call Weissmann to the stand. When Pfeiffer briefly testified about the meeting last month, Weissmann did not take his usual position at the prosecution table, instead opting to sit elsewhere in the courtroom.

A spokesman for Mueller's office declined to comment Sunday on the 2017 meeting or the new court filings.

The FBI documents made public Friday by Manafort's defense are not the standard forms the bureau uses when interviewing witnesses in a case. Instead, they're formal internal memos known as "electronic communications." Neither memo indicates who requested that the details of the session be written up. One of the memos is dated about three weeks after the session, and the other is dated a full month after the meeting.

Feldstein said journalists and law enforcement often have a different perspective on their interactions.

"FBI records may suggest reporters are something akin to confidential informants, just as reporters' notes will suggest it's the law enforcement officials who are sources for the journalists. And it's not necessarily deliberately misleading; often each side views the other that way as they are more focused on what new information they picked up than what information they provided," the former CNN and ABC reporter said. "It's all part of the way the news sausage is made in Washington, even if it looks unappetizing to those who don't know how it works."

A Journalist's Conscience Leads Her To Reveal Her Source To The FBI. Here's Why.

By Margaret Sullivan

[Washington Post](#), July 6, 2018

It's pretty much an inviolable rule of journalism: Protect your sources.

Reporters have gone to jail to keep that covenant.

But Marcy Wheeler, who writes a well-regarded national security blog, not only revealed a source — she did so to the FBI, eventually becoming a witness in special counsel Robert S. Mueller III's investigation of President Trump's possible connections to Russia.

"On its face, I broke one of the cardinal rules of journalism, but what he was doing should cause a source to lose protection," Wheeler told me in a lengthy phone interview.

"It's not a decision I regret," she added.

That she did so, as detailed in a post last week on her *emptywheel* blog, stunned those who have followed her work because she has so frequently criticized American intelligence agencies and their penchant for surveilling U.S. citizens.

"For her to go to the FBI, that made my jaw drop," said Daniel Drezner, a Tufts University professor of international politics. (He doesn't know her personally but has followed her work.)

"It's like Glenn Greenwald calling up the CIA and saying I've discovered a mole," Drezner said. (He was referring to the Pulitzer-winning, anti-surveillance, civil liberties lawyer who is co-founder of the Intercept, which focuses on national security news.)

Wheeler hasn't named the source publicly, though his name may soon be known to all who are following the Mueller investigation.

But her dealings with him have brought her around to believing something she initially questioned: that Russian interference in the 2016 election was a very real thing, and that Trump associates played a part.

What exactly did the source do to deserve outing to the FBI, in her view? Wheeler is circumspect in describing that.

Her blog post centers on a text message she says she got from the source on Nov. 9, 2016 — about 14 hours after the polls closed — predicting that Michael Flynn, who would be Trump's appointee for national security adviser, would be meeting with "Team Al-Assad" within 48 hours. Russia has been perhaps the Assad regime's staunchest ally.

As she noted: "The substance of the text — that the Trump team started focusing on Syria right after the election — has been corroborated and tied to their discussions with Russia at least twice since then."

Wheeler won't say when she went to the FBI other than that it was in 2017. In December 2017, Flynn flipped, pleading guilty to one count of lying to the FBI about his contact with the Russian government during the presidential transition; Trump had fired him in February.

In addition to the knowledge of her source's inside information, Wheeler said, she had reason to believe that the source was involved with efforts to compromise her website and other communications. And perhaps most important, that he was involved in cyberattacks — past and future — that had done and could do real harm to innocent people.

Wheeler, who has written blog posts about national security for almost 15 years, is clear that she wasn't motivated to talk to the FBI because she is out to get Trump. She certainly doesn't like him, but she is also not at all a Hillary Clinton fan.

But what motivated her recent revelation that she went to the FBI has plenty to do with politics: She is disgusted by the way House Republicans are, in her view, weaponizing their oversight responsibilities and making it all too likely that FBI informants will have their names revealed — and their safety threatened.

"It infuriates me," she wrote, to observe the "months-long charade by the House GOP to demand more and more details about those who have shared information with the government . . . all in an attempt to discredit the Mueller investigation."

But as a public figure, she has a measure of protection that others who have come forward don't have.

"If something happens to me — if someone releases stolen information about me or knocks me off tomorrow — everyone will now know why and who likely did it," she wrote.

Overly dramatic? Not really. The Russians do have a penchant for disposing of people they find threatening.

Both decisions — to talk to the FBI and to write about it — required her wrestling with three main issues: concerns about journalistic ethics, the possibility of unintended national-security consequences, and the growing certainty that her suspicions about the source were true.

As a writer working without a newsroom, she had no editor with whom to talk but did consult with a number of lawyers before making her initial decision.

A priest or minister who hears a confession about a serious crime that has already happened, she said, can offer forgiveness. But one who hears of a serious crime in the making is morally required to inform police. She saw herself in that latter category.

Wheeler told me she believed herself to be "uniquely informed" about something that mattered a great deal.

In their reporting, journalists talk to criminals all the time and don't turn them in.

Reporters aren't an arm of law enforcement.

They properly resist subpoenas and fight like hell not to share their notes or what they know because doing so would compromise their independence and their ability to do their work in the future.

Wheeler knows all that — and believes in it. But she still came forward, not because of a subpoena but because of a conscience.

As Drezner told me, "She would not do this on a whim."

And as Wheeler put it, "I believe this is one of those cases where it's important to hold a source accountable for his actions."

Without knowing all the details, it's hard to judge whether she was right.

But it's not hard to see that her decision was a careful and principled one.

Yet Another Book Takes On Impeachment: This Time, The Case Against

By Alexandra Alter And Sydney Ember

[New York Times](#), July 8, 2018

Alan Dershowitz has had a prolific publishing career: Over the past 36 years, the legal scholar and frequent television commentator has written 37 books, at the breakneck pace of roughly a book a year.

But even by his standards, his most recent book, "The Case Against Impeaching Trump," was a lightning-fast turnaround: He delivered it less than a month after striking a deal with a publisher, and the book went to press two weeks later, a shorter gestation period than most magazine articles.

The book, out this Monday, is likely to be the most controversial of his career, in addition to the fastest.

Mr. Dershowitz, a lifelong Democrat, has broken ranks with many liberals in defending President Trump against calls for impeachment. In his latest published work — less of a book and more a hastily assembled compilation of his public musings on the subject — he elaborates on those arguments. The 160-page treatise includes a roughly 30-page opening essay, followed by opinion pieces published in *The New York Times*, *The Wall Street Journal*, *Newsmax*, *Fox*, *The Hill* and other outlets, and a handful of transcripts of his television interviews, including appearances on *Meet the Press*, *Tucker Carlson* and *This Week with George Stephanopoulos*.

In a telephone interview, Mr. Dershowitz said he wanted to offer a counterpoint to the raft of books arguing for the validity of impeachment, including “To End a Presidency,” by Laurence Tribe and Joshua Matz, Cass Sunstein’s “Impeachment: A Citizen’s Guide” and Allan Lichtman’s “The Case for Impeachment.”

“Until I wrote the book, my comments had been in the form of three-minute television interviews and 800-word op-eds, and it’s difficult to make serious intellectual points in those formats,” he said. “I wanted to make a coherent case against impeachment, and I wanted to become part of the debate.”

He has certainly become part of the debate. Ever since he came out swinging against scholars, politicians and pundits who claim Mr. Trump has committed impeachable offenses, Mr. Dershowitz has been scorned by fellow academics and members of the liberal establishment, and by some in the elite social circles he frequents. In April, *The New Republic*, a left-leaning magazine, published an article titled “What Happened to Alan Dershowitz?” And he claims to have been shunned on Martha’s Vineyard, a liberal enclave where he spends summers.

But Mr. Dershowitz seems to be reveling in his pariah status, pointing to it as proof that he is committed to defending constitutional principles that transcend partisan politics. He joked in an interview that he is going to ask his publisher to release a “Martha’s Vineyard edition” of the book sheathed in a brown paper bag, so that bashful but curious residents can “hide it and read it in the privacy of their homes.”

Mr. Dershowitz said that the project came about after a former law student of his, Marshall Sonenshine, suggested he publish a book outlining his arguments against impeaching Mr. Trump. Mr. Sonenshine introduced him to his friend Tony Lyons, the publisher of Skyhorse, which has an imprint, Hot Books, that produces quick books that are often about current events. They met on May 2. Mr. Dershowitz delivered the manuscript on June 1, and printed copies were ready on June 20. The publisher has shipped 50,000 copies to retailers.

In an interview, Mr. Lyons said he sought out Mr. Dershowitz because he thought Mr. Dershowitz could write a brief, provocative book on a subject that has divided the country along partisan and ideological lines, but in a dispassionate, scholarly way. “He wrote it faster than I’ve ever seen anyone write a book,” Mr. Lyons said.

Apart from the introductory essay, the book is largely cobbled together from what Mr. Dershowitz considers his greatest hits on the subject — combative dispatches with headlines like “Enough with the Anti-

Trump McCarthyism!” and “I Haven’t Changed. They Have.” In one chapter, he quotes emails from critics who call him a “Republican authoritarian bigot” and who accuse him of being paid off by the Trump administration.

The unorthodox format was born out of a sense of urgency, Mr. Dershowitz said.

“That’s the only thing I could do in the parameters of time that I wanted,” he said.

One of the country’s best-known criminal defense lawyers and constitutional scholars, Mr. Dershowitz has long been respected, even revered, in political and academic circles. From his days clerking for Justice Arthur J. Goldberg of the Supreme Court in the 1960s, when he helped advance a briefly successful legal argument that the death penalty was unconstitutional, he has staunchly defended civil liberties, his supporters say. He joined the faculty at Harvard Law School in 1964 and became one of its youngest tenured professor when he was 28. (He is now a professor emeritus.)

As a criminal defense lawyer, Mr. Dershowitz has taken part in some riveting and polarizing criminal trials, and his client list reads like a who’s who of America’s most notorious defendants, including O.J. Simpson, Michael Milken and Mike Tyson.

Known for his bold, sometimes controversial views, Mr. Dershowitz has also never been afraid to speak his mind. He makes frequent television appearances to discuss, or debate, the day’s top legal issues, during which he is often opinionated and brash.

“He’s not exactly a bashful, reticent man,” said Lanny Davis, a former special counsel to President Bill Clinton.

Mr. Dershowitz’s style and points of view have at times drawn criticism. He has argued that torture can be justified. He is a strong supporter of the state of Israel and frequently debates Middle East policy. He has praised Mr. Trump’s decision to recognize Jerusalem as its capital.

But if his positions are not always popular, his latest turn as an apparent defender of Mr. Trump has perhaps most unsettled the liberals he has long identified with.

Mr. Dershowitz says he is not advocating for Mr. Trump, but defending civil liberties, as he has always done. Mr. Dershowitz said he voted for Hillary Clinton and fund-raised for her, and that he would have similarly defended her against calls for impeachment had she won the election.

“I’m not a part of his team at all,” said Mr. Dershowitz, who noted he has met Mr. Trump three times and spoken to him on the phone twice, once when Mr. Trump called to criticize something Mr. Dershowitz

said on television, and recently, when the president called to seek his advice on the Supreme Court nomination.

He makes note of his liberal leanings on the very first page of the book. After writing that unless a president has been found guilty by two-thirds of the Senate of treason, bribery or other high crimes and misdemeanors, "it would be unconstitutional to remove him," Mr. Dershowitz added a footnote that took a personal turn: "I was hoping to use the female pronoun after the 2016 election, but sadly that is not how it turned out."

That disclosure is unlikely to sway liberals who believe Mr. Dershowitz has betrayed his Democratic roots by siding with Mr. Trump and criticizing the special counsel investigation into whether Mr. Trump's campaign coordinated with Russia. But his supporters say his arguments against impeachment are rooted in his legal philosophy, not politics.

"Alan is a very principled person," said Benjamin Brafman, the prominent criminal defense lawyer who knows Mr. Dershowitz both personally and professionally, and who is currently representing the film mogul Harvey Weinstein against sexual assault charges. "He stands up for things he believes in and he takes the criticism and the accolades."

Mr. Dershowitz said that while he has faced blowback in social and academic circles, the publishing industry still seems happy to embrace him.

"There are a few publishers who are ideological, but I think most publishers are interested in being relevant and getting out there and being part of the public conversation," he said. His next book, a memoir about his defense of Israel, will be coming from All Points Books, a new imprint that purports to publish books from across the political spectrum. It will clock in at about 400 pages, he said.

Trump Reeks Of Fear

By Charles M. Blow

[New York Times](#), July 8, 2018

I can smell Donald Trump's fear from here. His panic. His anxiety.

And yet, I don't have a full picture of what is causing it.

The only people who know what has been discovered in the Russian election meddling probe are Special Counsel Robert Mueller and his team, and they aren't talking.

But President Trump no doubt knows far more about it than the rest of us, and what he knows — or what he fears — appears to be a consuming

preoccupation. He tweets about the investigation constantly.

Part of this is an overt play to bend public opinion, to besmirch whatever conclusions the investigation might reach and to ward off any attempt at a possible impeachment.

As The New York Times reported last week about the president and his legal team:

"They have come to believe that, if the Democrats win control of the House in November, the chamber will vote on whether to begin the impeachment process no matter the outcome of Mr. Mueller's investigation. So they want to sway Americans — and by extension, lawmakers."

The Times quoted Rudy Giuliani, one of the president's lawyers, as saying, "Nobody is going to consider impeachment if public opinion has concluded this is an unfair investigation, and that's why public opinion is so important."

Politico reported on this strategy in May, writing: "President Donald Trump and his lawyers have made a strategic calculation that their fight against Special Counsel Robert Mueller is more political than it is legal. They're banking that the lead Russia investigator will follow longstanding Justice Department practice that a sitting president can't be indicted, and that the only real threat to Trump's survival is impeachment."

Politico continued:

"So long as that theory holds, Trump's plan is to forcefully challenge Mueller in the arena he knows best — not the courtroom but the media, with a public campaign aimed at the special counsel's credibility, especially among Republican voters and G.O.P. members of Congress."

In May, CNN's Dana Bash interviewed Giuliani, and she posited that the "Spygate" saga was "an intentional strategy to undermine the investigation, knowing that they, the investigators, the special counsel, it's their policy not to talk. But you are very free to and are very aggressive about doing so."

Giuliani responded in part:

"Of course, we have to do it in defending the president. We are defending — to a large extent, remember, Dana, we are defending here, it is for public opinion, because eventually the decision here is going to be impeach, not impeach. Members of Congress, Democrat and Republican, are going to be informed a lot by their constituents. So, our jury is the American — as it should be — is the American people."

Yes, there is some impeachment fervor on the left, some that party leaders have tried to tamp down, fervor even in advance of Mueller's findings. But there also

appears to be very real impeachment fear in the Trump inner circle.

One has to ask: Why exactly is impeachment front of mind for these people? If they were as innocent as they publicly proclaim, they would know that impeachment would be out of the question as a matter of fact and law. But that is apparently not the case.

Do they believe that Democrats would take the politically disastrous step of moving to impeach Trump even if Mueller fully exonerated him?

I don't believe so. I believe that Trump is conducting himself as only a guilty man would, one who has a very real and well-founded fear that he is in imminent jeopardy.

He is girding for the fight.

In May, Trump added Emmet T. Flood, a lawyer who represented Bill Clinton during his impeachment, to his legal team.

And in May 2017, CNN reported: "White House lawyers have begun researching impeachment procedures in an effort to prepare for what officials still believe is a distant possibility that President Donald Trump could have to fend off attempts to remove him from office, two people briefed on the discussions tell CNN."

Impeachment is always on Trump's mind, and so he relentlessly pursues his strategy of creating a climate of incredulity to ward it off.

Just on Saturday, he tweeted: "Public opinion has turned strongly against the Rigged Witch Hunt and the 'Special' Counsel because the public understands that there was no Collusion with Russia (so ridiculous), that the two FBI lovers were a fraud against our Nation & that the only Collusion was with the Dems!"

But that strategy of discrediting the investigation seems to be working almost exclusively among Trump's base. As CNN reported in May about "a slight negative shift overall" in public approval of Mueller's handling of the investigation:

"Just about all of that change has come from Republicans, who now give Mueller a 17 percent approval rating, down from 29 percent in March. Among Democrats and independents, approval ratings for Mueller have not changed significantly."

Trump has done and said many heinous things as president and before, but it is highly unlikely that any would be solid ground for a successful impeachment. However, damning findings from Mueller would create that solid ground.

Yet Trump contends that there's no there there. If not, why is he acting like there is?

The Senate Intelligence Committee Reaffirms That Russia Meddled. Will Trump Listen?

By Editorial Board

[Washington Post](#), July 8, 2018

PRESIDENT TRUMP and some of his Republican allies have expressed an extraordinary amount of denial about Russia's interference in the 2016 U.S. presidential election. The president seethes at the suggestion of collusion or cooperation between his campaign and Russia, calls the special counsel's inquiry a "witch hunt" and "hoax," and continues to suggest that he accepts the assurance of Vladimir Putin that Russia did not intervene. That's why a new bipartisan report by the Senate Intelligence Committee is important: It counters the bluster of the Trump camp with a dose of reality.

The Senate panel, chaired by Republican Richard Burr (N.C.), examined the methods behind the intelligence community assessment, published on Jan. 6, 2017, by the Central Intelligence Agency, the National Security Agency and the Federal Bureau of Investigation. This was the second official warning of Russian mischief — a brief report had been made public the previous October — and was ordered by President Barack Obama in December 2016.

The intelligence community's assessment declared: "We assess with high confidence that Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election, the consistent goals of which were to undermine public faith in the US democratic process, denigrate Secretary [Hillary] Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian government developed a clear preference for President-elect Trump." The new Senate report calls this a "sound intelligence product."

The Senate assessment reveals that, on the second intelligence finding, there was a Russian preference for Mr. Trump, the existence of which the CIA and FBI had "high confidence" in and the NSA "moderate confidence." The Senate panel says it found the interpretive disagreement to be "reasonable, transparent, and openly debated." That is a reassuring conclusion about the process and a welcome contrast to the fuzzy thinking expressed by Republicans on the House Intelligence Committee in a March 22 report that criticized intelligence community methods and attempted to exonerate Mr. Trump's campaign.

Mr. Putin has repeatedly and disingenuously denied that Russia intervened. Rather than accept these protestations, Mr. Trump ought to forcefully warn the Russian ruler against further interference in U.S. politics

when they meet in Helsinki next week. Unfortunately, the pre-summit signs are not good. At a rally in Montana last Thursday, Mr. Trump breezily dismissed concerns about Mr. Putin. "Putin's fine," Mr. Trump said, adding that getting along with Russia is a "good thing."

It is a good thing for adversaries to talk to each other, but it is not wise for Mr. Trump to remain in denial about the Kremlin's active measures during the 2016 election. The Senate report reaffirms that the U.S. election was the target of a Russian operation directed by Mr. Putin. It is time for the president to unambiguously accept this bipartisan conclusion.

Trump's Fight With Federal Employee Unions Gets Real On Monday

By Lisa Rein

[Washington Post](#), July 8, 2018

Federal agencies on Monday begin implementing executive orders from President Trump on how to confront employee unions, following strict guidelines likely to escalate tensions that have been building since the president took office.

The administration describes Trump's new rules, issued in May, as an effort to streamline a bloated bureaucracy and improve accountability within the federal workforce of 2.1 million. The unions counter that the orders are only the latest in Trump's aggressive actions intended to weaken their bargaining power and make it easier to fire government workers.

Jeff Pon, chief of the Office of Personnel Management, gave agencies details late last week for implementing the presidential orders.

The administration wants agencies to reopen collective bargaining agreements to reduce the on-duty time union representatives spend representing employees. Managers are directed to "monitor and carefully report" on the time and make the information publicly available. And agencies are directed to move swiftly to fire poor performers, renegotiating any contracts that allow for progressive discipline.

The conflict appears headed for a showdown, either in federal court, where the unions have filed numerous lawsuits challenging the orders, or in Congress. The administration and the unions have courted Capitol Hill allies, with Republicans supporting Trump's tactics and Democrats backing the unions, a key constituency.

[Trump takes aim at federal bureaucracy with executive orders rolling back civil-service protections]

Trump's executive orders represent a broadening of the get-tough initiatives that have played out in individual agencies since he took office, including recent

efforts to force unions to move out of government-paid office space and to rein in the use of official work time by union representatives who deal with employee grievances and disciplinary matters.

Furious union leaders have sued the president, charging that he exceeded his authority and broke the law guaranteeing federal workers union representation. A judge is expected to consider all of the lawsuits later this month.

"Candidly, I find it reprehensible," said Tony Reardon, president of the National Treasury Employees Union, which represents 150,000 employees. "Why are the president and the administration continually on the attack against working-class Americans who are simply doing a job they're proud to do?"

For decades, unions have had vast power over the federal workforce, demanding a voice in almost every workplace issue except pay, which is set by Congress. Federal employee union membership is growing, even as private sector union enrollment declines. And efforts by previous Republican administrations to diminish union power have been piecemeal.

But since his 2016 election, Trump has made clear that he considers unions to be major contributors in driving up costs and paralyzing agencies in their attempts to discipline poor performers.

"President Trump has been very clear since the campaign trail that he wants to go after waste and fraud in government. Reforming the federal workforce is a giant step in ensuring more accountability for the government's use of American taxpayer dollars," White House spokesman Raj Shah said in a statement.

A key player for Trump

Many of the efforts have been overseen by James Sherk, a former Heritage Foundation labor economist who joined Trump's transition team to tackle labor challenges. He now sits on the low-profile Domestic Policy Council. The White House declined to make him available for an interview.

Over a decade at Heritage, a leading conservative think tank, Sherk, 37, wrote policy papers on the need to roll back public employee labor rights. He helped Wisconsin Gov. Scott Walker (R) engineer a plan to bust the state's employee unions in 2011. He argued for freezing federal salaries to bring them in line with the private sector and said in a 2007 video that the landmark 1993 law granting unpaid family and medical leave encourages employee timecard abuses.

Since Trump took office, Sherk's hard-line stance has helped guide the ongoing power struggles with the unions, according to Trump advisers.

In quick succession, federal employees have subjected to budget cuts, a hiring freeze, a proposed pay

freeze and \$143 billion in proposed cuts to retirement benefits.

[Congress clears Trump-backed bill to fast-track firing of VA workers]

The administration worked through Congress last year to push a precedent-setting bipartisan law clearing the way for the Department of Veterans Affairs to fire problematic employees.

In June, White House budget director Mick Mulvaney proposed a government reorganization that the unions branded as a thinly disguised effort to slash jobs.

And Trump officials have cracked down on day-to-day work practices that had been in place for years, severely restricting telecommuting at some agencies, for example, and forcing union representatives to give up free office space and even parking spaces.

The new rules also restrict working conditions that can be bargained over. They give poor performers 30 days to show improvement rather than the current 120 days. They make performance a key factor, rather than seniority, when layoffs are on the table.

The administration signaled its hard-line posture in March when the Education Department imposed its own contract after months of bargaining with the American Federation of Government Employees broke down.

Education officials, meanwhile, are enforcing the contract. The union has been kicked out of its small offices at the agency's Washington headquarters and its regional offices and told it must pay rent.

Last month, management sharply curtailed telework to one day per pay period, a benefit pushed by the Obama administration as a way to save expensive office lease costs and keep cars off the road. Agriculture and some Commerce Department offices also have slashed telework, a practice Trump officials have said they suspect leads employees to slack off.

Education officials also are insisting that union representatives take time off to represent employees, instead of carving out a portion of their workweek for what is known as "official time" to represent employees who have filed workplace grievances. The AFGE is temporarily sending lawyers from its national office to step in for local representatives.

As the largest government workers' union, with 700,000 members, the AFGE says management's contract is illegal — and guts previously negotiated provisions for telework, performance evaluations, work schedules and other protections. The union is awaiting a ruling from the Federal Labor Relations Authority on its complaint of unfair labor practices.

[Largest federal employees union sues Trump over 'official time' rollback]

Resolution of the dispute is uncertain, though. Trump has not named a general counsel for the authority, who would have to approve any disposition for labor or management.

Targeting unions

Under Trump, the FLRA has issued a number of anti-union decisions. One reversed years of case law that had allowed unions to bargain over changes to employees' conditions of employment, such as changes to job duties.

The administration also disbanded advisory labor-management forums at federal agencies created in the Obama era to foster dialogue.

A White House official said the forums were a "waste of resources and sucking up a ton of our time." But the unions called them valuable tools that improved productivity and resolved disputes before they required costly arbitration.

"Official time" has been a particular target for the White House. Trump's orders restrict to 25 percent the on-duty time employees may be paid for union work.

"It means greatly diminished representation," said David Borer, the AFGE's general counsel, adding, "We've never been attacked quite like this before."

The White House official said that limiting it will serve a purpose. "If they have to pay the costs, then they won't be bringing Mickey Mouse grievances," said the official, who was not authorized to speak publicly about labor-management issues.

[How the Trump era is changing the federal bureaucracy]

At the Department of Housing and Urban Development, for example, union officials say they have received emails from management recently that strongly suggest they accept limits on official time rather than bargain over the issue.

And management has told the union to stop using agency parking spaces, phones, computers and other resources to which they have long had access. Unions said they expect other agencies to follow suit.

"The agency feels empowered," said Holly Salamido, president of AFGE Council 222 of HUD locals. The president "can't just use an executive order to override a contract."

Trump's orders can be undone by the next president. But the White House decided that presidential orders were a better path to immediate change than seeking legislation, even in a Republican-controlled Congress, because of the vast political clout of federal workers.

"The administration has played its cards," said Donald F. Kettl, a public affairs professor at the University of Texas at Austin, "and the perception of

union-busting has cut off any possibility for bipartisan action on needed reforms to government and the civil service."

The executive orders have drawn opposition from a majority of Senate Democrats and a bipartisan group in the House, who have written letters to the president. Last week, four current and former House members submitted a friend-of-the court brief on behalf of the unions in their federal court challenge. The brief says the executive orders would open the door to patronage and upend the "merit-based, non-partisan" civil service.

Sherk and the policy council, meanwhile, are awaiting the court's decision while planning more unspecified workforce changes, administration officials say. The top priority now, the White House official said, is to ensure that the new limits on unions are enforced throughout the government.